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# The Solicitors' Journal & Reporter.

## VOLUME XIV.

*The Subscription to the SOLICITORS' JOURNAL is—Town, 26s.; Country 28s.; with the WEEKLY REPORTER, 52s. Payment in advance includes Double Numbers and Postage. Subscribers can have their Volumes bound at the Office—cloth, 2s. 6d.; half law calf, 4s. 6d.*

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### The Solicitors' Journal.

LONDON, NOVEMBER 6, 1869.

WE UNDERSTAND that the vacancy occasioned by the death of the late Lord Justice Selwyn will not be filled up, at any rate during the present year.

WE PRINT THIS WEEK an account of the twenty-second annual meeting of the Metropolitan and Provincial Law Association, held at York. The forty-third annual meeting of the Incorporated Law Association of Liverpool was held on Wednesday, the 3rd inst., at the Law Association's rooms in Cook-street, Liverpool. The election of officers takes place on Monday next. In our next week's issue we shall report the proceedings.

THE PROSECUTION of the Rev. Mr. Bennett, now pending in the Court of Arches, raises some important questions of law and practice as well as of doctrine, which, singularly enough, when the late unhappy frequency of ecclesiastical suits is taken into account, still remain unsettled. Mr. Bennett has had articles exhibited against him for a great variety of alleged heresies, and among others for having expressed an opinion contravening the 29th article of religion "of the wicked which eat not the body of Christ in the use of the Lord's Supper." To this last charge the Dean of the Arches, whose duty it is, in the absence of the accused clerk, to see that no improper articles are admitted, has taken two objections:—First, that it was not specifically alleged in the letters of request from the Bishop of Bath and Wells to the Arches Court, nor in the opinion of the judge could it be gathered from them by necessary implication; secondly, that, even assuming the letters of request stated the charge sufficiently, it was not a subject of inquiry before the commissioners on whose report those letters issued. Now, there can be little doubt that the first objection is well founded, if the learned Dean of the Arches' construction of the letters of request be the true one. They are the foundation of the suit, and the articles must not go beyond them in any particular (*Brecks v. Woolfrey*, 1 Curteis, 880; *Simpson v. Flamank*, 16 W. R. 8); a wise and salutary rule, which is also applicable to the citation or decree following the reception of the letters of request, and which prevents a defendant from being taken by sur-

prise. But on the second point there is room for doubt, as there is no direct authority upon it. That the law ought to be as the judge has decided that it is, seems only fair and reasonable. The letters of request are issued upon the report of the commissioners. Surely they ought not to contain charges which have never been before the commissioners at all. Such a construction of the Church Discipline Act (3 & 4 Vict. c. 86), would render the issuing of a commission an idle and useless form. On the other hand the counsel for the promoters argue that when once a commission of inquiry has reported against a clergyman, the suit instituted may include any charge the promoter may choose to bring. Nor is such a contention without foundation, inasmuch as there is no absolute need for a commission of inquiry to report at all. The bishop may send a case, by letters of request, to the Court of Appeal, either "in the first instance or after the commissioners shall have reported" (3 & 4 Vict. c. 86, s. 13). Still, whenever he does deem it expedient to appoint commissioners, and they make a report, it appears to us to be somewhat unjust to include any charges in the articles which are not in the report. We shall therefore be glad if the Privy Council find themselves able to affirm the judgment of Sir R. Phillimore on this matter. The question is entirely novel, the Privy Council having, on the only occasion on which it has been before them hitherto, expressly declined to decide it (*Bonwell v. Bishop of London*, 14 Moo. P. C. 395).

THE COURT OF QUEEN'S BENCH has refused to release the prisoners committed for contempt by the Beverley commissioners. The ground of this decision was that the commissioners had, by the Act of Parliament, power to sit "from time to time," so that the sitting at which the prisoners had been committed might be treated as a good sitting newly appointed by the commissioners, even if their former sittings could not be deemed to have been properly continued to that day by regular adjournments. The case, of course, depended entirely upon the construction to be put on the statute, and as usual the point was one which evidently was not contemplated at all by the Legislature. There were, therefore, some passages in the statute from which it might be argued that the intention of the Legislature was in favour of one view, and other passages from which a contrary intention might be inferred. On the whole there seemed sufficient to justify the Court in arriving at the conclusion which they did, and of course it was most satisfactory that they were able to do so.

The whole affair has been an unfortunate one, not the least unsatisfactory circumstance in connection with it being the manner in which it has been taken up as a party question. Because the Commissioners at Beverley had succeeded in discovering a greater amount of corruption on the Conservative side than on the Liberal, it was thought not unbecoming by writers in the Conservative newspapers to rail at the commissioners pretty smartly for their conduct, the illegality of which was almost taken for granted; and it was currently re-

ported that, in the event of an Act of Parliament having been found to be requisite to make valid the acts of the commissioners, and to enable them to make their report, it would have been opposed by the strength of the Conservative party. On the other hand the Liberal press have quite as recklessly supported the Commissioners, and in some cases, in commenting on the decision of the Queen's Bench, go so far as to say that the Court have decided that the conduct of the Commissioners was perfectly legal. This most certainly they did not do, because although the Court held that the Commissioners had, at the time they committed the prisoners, their statutory powers, the judges expressly refrained from deciding that they had them at the meeting at which only two were present. Indeed they expressed the strongest possible opinion that the two Commissioners had not the power to act alone, and that the meeting in question was irregular. This opinion, of course, being in the view taken of the Act not necessary to the decision of the case before the Court, was extrajudicial. The only result of the informality probably is that the witnesses examined before two Commissioners only could not be convicted of perjury.

Bribery will never be put down as long as either the general question, or the discussion of particular cases, are taken up as party matters. It is surprising that political partisans do not see that either to palliate or attempt to interfere with the detection of corruption committed or supposed to be committed in the interest of their own party, or to make corruption committed in the interest of the opposite party a ground of party complaint, is equally compromising to themselves. As long as neither party can boast that the hands of all its members are clean, which recent revelations as well as former ones show to be the case, it cannot be to the advantage of partisans on either side to argue that members of the opposite party are responsible for the acts of all its members. It would be far better for them sternly to repudiate all connection with corrupt political associates, and rather to encourage their opponents to do the same, than to taunt them into their defence. No man will be deterred from bribery by fear of the bad opinion of his opponents, though he may by fear of that of his friends; and it is after all to the formation of a sounder public opinion rather than to coercive measures that we must look for the repression of bribery.

We understand that, notwithstanding the decision of the Court of Queen's Bench, this matter is not to be allowed to drop. It is reported that an application will shortly be made either to the Court of Exchequer or of Common Pleas. This it is competent to the parties to do, but obviously their chance of success is much diminished by the fact of their having made an unsuccessful application elsewhere.

The Bridgwater Commissioners are now also before the Court of Queen's Bench, a rule having been granted yesterday calling upon them to show cause why a *mandamus* should not issue directing them to give a certificate of indemnity to Mr. Henry Lovibond, solicitor, of Bridgwater. Upon the argument of this rule the questions will arise, first, whether the Commissioners have a discretion as to granting or withholding the certificate; and secondly, supposing they have no discretion in cases where the evidence of the witness is both full and true, which rather seems to be the construction to be put upon the Act, whether they are not the sole judges of the fulness and truth of the evidence. It certainly seems a little inconvenient that an issue should be raised upon the return to a *mandamus* as to whether or not certain evidence was true.

A CASE HAS JUST BEEN TRIED in the Salisbury County Court which demands attention. The plaintiff was the station-master of the South-Western Railway at Milford, the defendant a sergeant of the Salisbury police. The plaintiff sued the defendant for damages for false imprisonment under the following circumstances:—The

plaintiff, when returning one night from a croquet party with a friend, was arrested by the defendant, charged with being drunk and riotous, hurried off to the station-house, and locked up for the night. In the morning the magistrates dismissed the charge against the plaintiff, although two or three policemen, including the defendant, swore that he was drunk and riotous. Thereupon the plaintiff brought the action in question. When the plaintiff's case had been stated, Mr. Collins, who appeared for the defendant, said that his client would admit that he had exceeded his duty, would withdraw the charges of drunkenness and riotous conduct against the plaintiff, and would consent to a verdict for £5 and costs. Thus the case ended, as far as the Court was concerned, but the public have a right to know what course the authorities are going to take with respect to the members of the police force who swore so positively to what was afterwards retracted, and whether these and similar cases will not induce criminal courts to adopt the theory of Mr. Taylor in his "Treatise on the Law of Evidence," that the testimony of policemen should be "watched with care."

COMPLAINTS HAVE BEEN MADE of the manner in which some of the business on the Northern Circuit has to be disposed of. It is well known to practitioners that at Manchester alone there are frequently nearly a hundred causes for trial, and at Liverpool half as many more, so that it is absolutely impossible for the judges upon this circuit adequately to dispose of this mass of business within the allotted space of time.

Two suggestions have been made by way of remedy. First, that in the present dearth of election business two of the election petition judges (one being left in town) might go this circuit as extra judicial strength to meet an acknowledged necessity; and secondly, that Lancaster, Manchester, Liverpool, and Appleby might be formed into a separate circuit, with, if it were thought desirable, York and Leeds taken from the Midland, the two election petition judges in their turn going this circuit. Just at present, no doubt, two election judges could well be told off for the work, but what would become of the extra circuit after a general election?

IT IS STATED IN THE *Post Magazine and Insurance Monitor* that when the business of the Medical Invalid and General Assurance Office was transferred to the Albert Company in 1860, a deed was executed by which the funds of the former society were assigned to trustees upon trust to pay the claims as they arose under the policies, with power to release in favour of the Albert such portion of the fund as applied to policies surrendered or exchanged, and to pay over to the Albert the remainder of the fund at the expiration of ten years from the date of the deed. It is stated that the trustees of this fund hold between £30,000 and £35,000. On Thursday last, in a suit of *Foot v. Hopkinson*, instituted by a shareholder in the Medical Company against the trustees for the administration of this fund, Vice-Chancellor Malins made an order for a receiver.

A SOMEWHAT NOVEL APPLICATION was made yesterday to Vice-Chancellor Stuart. Counsel moved, *ex parte*, for an injunction under the following circumstances:—A solicitor sought to stay the issuing out of a cheque by the Accountant-General, except upon the terms of his claim for taxed costs being provided for. He had acted for a creditor in the cause, to whom the cheque was ready to be paid. It was admitted that no petition for a charging order had been presented, but an offer was made to correct this in the course of the day. The Vice-Chancellor said he had never heard of such an application by an attorney against his client. It seemed to him the plaintiff was remitted to his remedies under the Attorneys and Solicitors Act. Counsel said the solicitor did not know where to serve the creditor, and it was only necessary for such creditor to be identified by a

solicitor in the course of the day, to obtain the money. The Vice-Chancellor made the order, the solicitor undertaking to be answerable in damages.

# "CHANCERY RETRENCHMENT."

Our readers will have seen in our last volume\* a copy of a notice which appeared some time ago in the *Times* under the heading of "Chancery Retrenchment." The article in question displays such profound ignorance as well of the past history of the court as of the present state of business there, that we might well have considered it unnecessary to notice it further had it not come to our knowledge that it is not intended for the present to fill up the vacancy on the Bench caused by Sir Charles Selwyn's death. This determination on the part of the Government leads us to fear that the proposition put forward in the *Times* finds more favour with them than it deserves, and with the recollection of the narrowness of our late escape (if we have in fact escaped) from the proposed change of site of the New Law Courts, we deem it desirable to call attention to the proposal of the *Times* at once, in order, if possible, to prevent any action from being taken upon it.

It is proposed, in effect, to reduce the number of the equity judges of first instance by one, by simply converting the Master of the Rolls into an appellate judge. The author of this notable scheme appears to be ignorant that when Lord Chancellor Cranworth, in 1866, presented a bill to the House of Lords for this very purpose, it was opposed by every other law lord in the House at the time (including Lord Romilly himself), on the ground that the official duties of the Master of the Rolls were such as could not be so conveniently associated with the judicial duties of an appellate judge as with those of a judge of first instance, and the bill was accordingly withdrawn. True, that bill proposed to create a fourth Vice-Chancellor, and did not thus far possess the merit (?) of seeking to impede the administration of justice in the Court of Chancery; the court of which we hear, on the one hand, that the delays are all but interminable, and on the other, through the wisacre who writes in the *Times*, that "the powers of primary jurisdiction are in excess of the requirements of the public." To the extraordinary allegations on this point made by the *Times* we will refer by-and-bye, but at present we desire to point out that in the opinion of Lord Romilly himself, as evidenced by his conduct on the occasion we have mentioned, if the staff of equity judges of first instance be susceptible of reduction, that reduction should not be effected by any interference with the office of Master of the Rolls, but by abolishing thereto that of the Vice-Chancellor appointed under the provisions of the Masters in Chancery Abolition Act. Of course, if it be desirable that Lord Romilly should be the new Lord Justice, and if his Lordship consent, we are not to be understood as offering any opposition to his appointment; but this should not, we think, be effected in the manner proposed, but by a simple appointment of Lord Romilly as Lord Justice, and the appointment of some other person to be Master of Rolls. If this appointment were given to one of the present Vice-Chancellors the proposed reduction would be effected as completely as, and far more conveniently than, by the method advocated in the *Times*.

This, however, assumes that four judges of first instance are too numerous for the requirements of the court. The *Times* says:—

It is well known by practitioners in the Chancery Courts that the powers of primary jurisdiction are in excess of the requirements of the public, and that the delay, small as it now is comparatively with times of old, is occasioned by the inadequacy of strength to the work required in the equity chambers; in fact, the equity courts in this country have become only compilers and extractors of bewildered account-

books—a duty properly of those gentlemen who inhabit accountants' chambers. The actual equity business relating to property is now so small that the institution of Vice-Chancellors has, in truth, become unnecessary, and even with the other court cases there is a difficulty in distributing it so as to give even an apparent work in court to the four junior equity judges, though their chambers are thronged with expectant and disappointed suitors. The points of law for argument and decision by the judges in court are so few in comparison with the inquiries by their clerks that despair often marks the countenance of the gentlemen learned in the law. It is obvious, then, that the proper course is to reduce the number of judges while increasing the staff of those who remain.

A short Act could declare the Master of the Rolls for the time being to be chief judge of the Court of Appeal in Chancery; that his chief clerks, with their staff, should be assigned between the Vice-Chancellors as additional officers in chambers by a general order in chancery; that the Lord Chancellor and Vice-Chancellors should, by general orders, distribute all primary jurisdiction matters between the Vice-Chancellors.

No additional officers are required, and the salaries of the present holders are already subject to the Treasury: neither are new courts required, those now attached to the Rolls' Court being confessedly the best in use, an arm-chair for the junior judge of appeal being the only article of furniture with which the country need be charged."

Passing over the trifling difficulty of seeing how a redistribution of the chief clerks among three instead of four judges, *their number remaining the same*, could in any manner relieve the "chambers thronged with expectant and disappointed suitors," we beg leave to take issue with the *Times* on the point which forms the very foundation of the whole argument.

In the first place, practitioners in chancery are well aware, as has been frequently shown in these columns, that what is really wanted is more judicial power in chambers,—not that more work should be done in court, but that more of the work which is done in chambers should be done by the judge,—and that a distribution of the same number of chief clerks over a *greater*, instead of a *less*, number of judges would be an efficient, and the only efficient, remedy for much of the evil which still exists. We quite agree that this evil is "small comparatively with times of old," but the scheme proposed in the *Times* would tend greatly to aggravate it. But, secondly, it is not true that there are too many judges for the court work. The cause lists just published show that 363 causes (to say nothing of motions, petitions, and—most prolific of all—adjourned summonses) are now set down, and waiting for hearing during this term. As the term consists of but 18 working days, of which 4 are devoted to motions and 3 to petitions in each court, there are but 11 clear days to dispose of all these causes, *if there is to be no delay*, which would involve the disposal of 33 causes a day, or an average of 8 per judge per diem, which far exceeds the judicial rapidity even of the Master of the Rolls himself. In point of fact, it may be reckoned on as certain that not less than one-third (more probably half) of them will remain over till next sittings, while, in the meantime, a new crop of litigation will have "ripened" in turn, to be in turn delayed till their predecessors are disposed of.

But not only is the writer in the *Times* thus ignorant as well of the actual state of business in court as of the previous history of this particular question, but he makes one or two other somewhat curious statements, from which, on the principle of "*ex pede Herculem*," we may conclude that he has no acquaintance whatever either with the Court or the subject.

Suppose his notable scheme carried out, he says it will cost the country nothing but "an arm chair for the junior judge of appeal." But how will it cost that? What does he suppose that Lord Justice Giffard now sits upon? The slip is but a small one, but it leads us to the conclusion that the writer probably never has set his foot in the court in his life.

Again, what is meant by "the Act passed in conse-



quence of the illness of Lord Justice Rolt"? No such Act ever was passed. The Act which is, we presume, referred to was passed in consequence of the delays and arrears caused by the long illness of Lord Justice Turner, and was taken charge of in the House of Commons by Lord Justice Rolt, then Attorney-General. It was extensively used by Lord Cairns and Lord Justice Rolt, but afterwards fell into disuse, not having been, we believe, resorted to on any occasion by Lord Justice Wood or Lord Justice Selwyn, and never having been used by Lord Justice Giffard till after his late colleague had become unable to sit. The practice thereby introduced is generally admitted to be more honoured in the breach than in the observance, and should, we think, be kept for sudden and temporary emergencies. Such was the feeling of Lord Justice Rolt himself, who, when he found that his illness was more than temporary, did not consider that the Lord Chancellor and Lord Cairns could efficiently dispose of the business in the manner now suggested, and preferred to abandon his own position rather than inflict upon the country a state of things with the continuance of which for at least two months longer we are now threatened at the instance of the *Times*.

We regret that the Government should have been weak enough to give way even to that extent; we trust that this may be the limit of our loss, and that we may not have to meet a repetition of the tactics displayed in the "battle of the sites."

#### COVENANTS TO SETTLE AFTER-ACQUIRED PROPERTY.

##### No. 1.

There are few clauses in marriage settlements of the ordinary type which give rise to so much litigation as the covenant to settle a wife's after-acquired property. This is to a great extent accounted for by the simple fact that the clause in question attempts to provide in a few words for all the various modes and circumstances in or under which property may come to the wife, so that few, or it may be none, of those which actually happen are in any particular case consciously present to the mind of the draughtsman. It must, however, be confessed that the latter is not altogether free from blame in the matter, for, while the numerous and sometimes over-subtle distinctions which have been taken render care in this clause especially needful, it is usually the worst drawn portion of the settlement. We propose by a short digest of the more recent decisions on the subject at the same time to guard our readers against negligence in framing the covenant in question, and to show the interpretations which have been given to some of the forms in which it is frequently expressed.

The most convenient mode of doing this seems to be to take some well-settled form and point out the effect of its component parts as they stand, and of slight variations in them. There is no substantial difference between the precedents given in *Prideaux's* and *Davidson's* collections, but the latter, and forms more nearly resembling it, are more common, and we therefore select it. Want of space restricts us to giving the precedent piecemeal in this and subsequent articles, but we recommend our readers who are not already sufficiently familiar with the general outline of the covenant in question to refer to a precedent of it.

And it is hereby agreed and declared, &c. In *Prideaux's* form the clause is introduced as a separate witnessing part of the deed, and the husband and wife are each made in terms to covenant with the trustees. It will be seen presently that the difference is not a material one if the subsequent part of the clause is framed in the usual way.

In many of the early cases there is a covenant by the husband only—perhaps because it was thought that the wife's covenant would be merged by the coverture; but, although she could not be sued on it at law during the

coverture, her liability would revive on her husband's death, and she would always be bound in equity. The extension of the covenant to the wife in terms or in substance is essential, in order—(1) to bind property to which the wife becomes during the coverture entitled to her separate use, and (2), in the case of his dying before her, to bind interests which vested during the coverture, but were not reduced into possession by him. Thus, in *Douglas v. Congreve* (1 Keen, 428), a covenant by H. that he would settle or concur in settling was held inapplicable to personalty left to W. for her separate use, and see *Grey v. Stuart* (2 Giff. 398); and (2) in *Reid v. Kenrick* (3 W. R. 530) a covenant that H. would settle and join with W. in settling was held not to bind a reversionary interest in personalty falling in after H.'s death; and see *Young v. Smith* (1 Eq. 100). The form adopted by Mr. Davidson consists of an agreement and declaration that H. and W. and all necessary parties will settle. There has been a good deal of argument as to the effect of the words, "it is agreed and declared," and in *Ramsden v. Smith* (2 W. R. 435, 2 Dr. 307) it was contended that they operated so as to bind separate property of W., although followed only by a covenant by H. to settle or concur with W. in settling. This contention failed, the rule laid down by Vice-Chancellor Kindersley being that such words amount only to a covenant by the party who according to the instrument containing them is to do or not to do something, and H. there was alone to do anything. But he admitted that a covenant that the property should be settled by all proper parties would come within the rule. (It was so held in *Butcher v. Butcher*, 14 Beav. 222, the covenant being in form by H. alone.) To this effect is the decision of Lord Justice Wood in *Willoughby v. Middleton* (10 W. R. 460, 2 J. & H. 344) that an agreement by all parties that property shall be dealt with in a particular way is a covenant by those parties whose concurrence is required to give effect to the provision. The usual recital of the agreement that after-acquired property should be settled, although it may be used as a key to the construction where the operative part has been doubtfully expressed, will be governed by the latter if unambiguous; and therefore in *Hammond v. Hammond* (3 W. R. 86, 19 Beav. 29) property settled to the separate use of W. was held not to be affected by a settlement reciting that it was agreed that all property of W., or H. in her right, should be settled, but containing a covenant by H. alone.

That if W. now is, or if during the said intended coverture she or H. in her right shall [at one and the same time and from the same source] become seized or possessed of or entitled to any real or personal property [of the value of £ and upwards] for any estate or interest whatsoever. . . . Omitting for the present the consideration of the words within brackets a glance at the above sentence will show that the title at the head of this article does not fully express the scope of the covenant we are discussing, extending as it does not only to after-acquired property but to omitted interests. There can be very little doubt that as a general rule where a settlement goes so far as to protect the future property of the wife, it was intended that all her property at the time of the marriage should be settled, but cases of course are not unfrequent where either from some slip on the part of the conveyancer, imperfect instructions, ignorance of all parties as to the existence of some of the wife's property, which, as in the possible case of a fortune being left to her by a person dying on the eve of the marriage, may be unavoidable, and other accidents which may be imagined, the settlement itself does not include all such existing interests. When, therefore, words of futurity alone are used in the covenant it would seem difficult to treat it as applicable to property belonging to the wife at the time of the marriage, but as the Court is always anxious to protect the wife and children of the marriage it will, unless the recitals indicate a contrary intention, consider such words as "vesting thereafter in H. in right of W." as applicable to the wife's existing property to which the husband became on the marriage



(after the settlement) entitled in his marital character, and such property accordingly, as bound by his covenant. It is not easy to extract from the cases a general rule on the construction of covenants in the above form, important as it is in practice, and all we can do is to explain briefly the decisions. In *Graftey v. Humpage* (1 B. 46), by the settlement, after reciting that W. was entitled to certain funds, and an agreement that all future fortune she should acquire or succeed to should, when the same should accrue to or vest in her, be settled, the funds were settled, and H. covenanted that if W. or he in her right should at any time thereafter during the coverture succeed to the possession of or acquire any property, H. and his representatives would settle and concur in settling the same. The wife was then entitled to a life interest in a fund settled to her separate use, with remainder, in default of appointment, to her executors, &c. H. survived W., and it was held that the fund was bound by the covenant. So in *James v. Durant* (2 Beav. 177), the settlement recited W.'s title to some funds thereby settled, and an agreement that all other property of W. which she or H. in her right should at any time during the marriage become entitled to should be assigned, and contained a covenant by H. and W. that if W. or H. in her right should at any time thereafter during their joint lives become possessed of property it should be settled. It was held that some water works shares of which W. was then possessed were bound by the covenant, as H. acquired a title to them by virtue of his marital character. On the other hand, where W. was entitled to shares in her father's property under two separate wills by him of his English and American property, and the settlement referred only to her interest under the former, and, after reciting that "all other personal estate as W. shall become entitled to" should be settled, contained an agreement that "all further personal estate, if any, as should during W.'s life become vested in or accrue to her, or should be assignable by H. or W., or either," should be settled, it was held that the American property was not included (*Hoare v. Hornby*, 2 Y. & C. Ch. 121). And in *Otter v. Melville* (2 D. G. & Sm. 257) the settlement recited an agreement that all such personal estate as W. might, during the coverture, become entitled to should be settled, and contained a covenant by H. and W. that all personal estate to which W. should become entitled should be settled. It was held that a sum of money to which W. was then absolutely entitled was not affected by the settlement. *Wilton v. Colvin* (4 W. R. 759, 3 Dr. 617) is an important case on this point. The settlement, ignoring the fact that W. was entitled in possession to then unascertained shares of proceeds of sale of a freehold house and of a leasehold house, recited that she was possessed of or entitled to some money, and might eventually become entitled to other property, and that it was agreed that the money and all the property to which W. should thereafter become eventually entitled should be settled; and H. covenanted that all property to which W., during coverture, should become seised, possessed of, or entitled, should be reckoned as separate estate. The Vice-Chancellor remarked that, in cases of this sort, it was necessary to construe the instrument fairly, and to resist a tendency to come to a foregone conclusion that it must have been intended to settle all that the wife was entitled to, and held that the shares were not bound. The words "possessed of" might be used—(1) as contrasted with seised and the appropriate words for personal property; (2) as distinguished from interests in remainder; (3) as meaning actual manual possession. Here, like the words "shall become entitled," he thought they implied a future title. Referring to the cases, he approved *Hoare v. Hornby*, objected to the subtle reasoning as to the husband's succession in *Graftey v. Humpage* and *James v. Durant*, and could not accede to *Blythe v. Granville* (15 Sim. 190), where Vice-Chancellor Shadwell held that a covenant to settle property to which the wife should, during the coverture, become en-

titled, extended to a vested reversionary interest in stock on the singular ground that on the marriage she became "entitled during the coverture."

In *Archer v. Kelly* (1 Dr. & Sm. 300, 8 W. R. 684), the same Vice-Chancellor again expressed his disapprobation of the decisions in *Graftey v. Humpage* and *James v. Durant*, contending that the words becoming entitled clearly did not point to the husband's becoming entitled to a right which the wife already had and that to such an argument it might be retorted that the husband would not become entitled during but immediately on the commencement of the coverture. In this case the covenant was to settle property to which W. or H. in his right should become entitled during the coverture, and was held to cover a contingent remainder in real estate which vested in possession during the coverture, but not a present interest in stock. The ground for including the former was that it vested in W. during the coverture for a new interest, and on the same the decisions in *Blythe v. Granville* and a case of *Ex parte Blake* (16 Beav. 463), where property which should thereafter during the coverture descend, come to, or vest in W. or H. in her right was held to include the proceeds of land taken by a railway company to which W. was at the time of the marriage (as was long afterwards discovered) entitled in reversion, may perhaps be supported. In *Spring v. Pride* (12 W. R. 893) the Lord Justice Knight Bruce observed that the words "devolve" and "come" were not inaccurately applicable to reversionary interests falling into possession. So, in *Brooks v. Keith* (1 Dr. & Sm. 462, 9 W. R. 565) a contingent interest afterwards vesting was held bound by a similar covenant to the last, and Vice-Chancellor Stuart, in *Mackurcan v. Lane* (7 W. R. 135), went so far as to decide that by a covenant to settle property which should accrue to or vest in H. as estate tail in remainder, subject to preceding estates and a power of appointment, was bound on its vesting in possession; but in *Churchill v. Shepherd* (33 Beav. 107), the words "should vest" were properly considered inapplicable to a sum due to W. at, but not ascertained until some years after, the marriage.

It must be noticed that Vice-Chancellor Stuart, in *Re Hughes' Trusts* (4 Giff. 432), approved of *James v. Durant* and *Graftey v. Humpage*, and held that a reversionary interest in stock falling in after the deaths of both H. and W. was within a covenant where the words "become entitled during the coverture" only were used, but the decision cannot stand consistently with *Archer v. Kelly*, or with a recent case (*Re Browne's Will*, L. R. 7 Eq. 231, 17 W. R. Ch. Dig. 6) decided by the Master of the Rolls, in which the words "shall become possessed of or entitled to" were held insufficient to include an interest in some tontine debentures of and to which the wife was at the marriage possessed and entitled, but under which, by reason of the life named in them surviving other lives a considerable sum became, some years after the settlement, payable. The Master of the Rolls considered that a covenant containing only the above words could not be held to apply to the increasing value of existing property, and that the like interest would not, under the same circumstances, be bound by a covenant referring only to property which should during the coverture be given to or in any manner vest in the wife.

It is obvious that the covenant only applies to property which the husband takes in right of his wife in the sense that she would have taken it but for the marriage, and not to an interest in property expressly left on the wife's death to a surviving husband. The question, however, was raised in *Ibberson v. Grote* (25 Beav. 17). A covenant to settle property to which H. and W. or either in right of W. should become entitled during the coverture is also inapplicable to property left to H. and W. as joint-tenants, for W.'s reversionary interest could not fall in during the coverture, and the interest during the joint lives is in H. in his own right (*Edge v. Addison*, 12 W. R. 97).

The words "during their joint lives" are sometimes

found in place of "during the coverture," but the latter form seems preferable, as providing for the possibility of a divorce. In the absence of such words the covenant cannot of course (unless the intention is apparent from other portions of the settlement) be restricted to property accruing during the coverture (*Stevens v. Van Voorst*, 17 B. 305). Where W. was entitled to some settled funds at the time of the marriage in default of the exercise of a special power of appointment, and this power was exercised in her favour after the death of H., Vice-Chancellor Wood considered that as the appointment only rendered certain what before was uncertain, her interest was bound, although not strictly coming to her during the coverture (*Re Frowd's Settlement*, 4 N. R. 54).

There is an old case of *Howell v. Howell*, reported in 4 L. J. N. S. Eq. 242, in which Pepsy, M.R., held that a covenant by both parties to settle all personal estate which should at any time after the marriage come or accrue to W. or H. in her right did not embrace interests given to W. by H.'s own will, or by the wills of other persons who died after his death; but from the circumstance that in this case there being no issue of the marriage, the representatives of H. claimed against the wife's legatees by virtue of the ultimate trust for him, the case is not of much value as an authority. We cannot, however, think that it was rightly decided, the argument which prevailed with the Court being that the covenant was intended to operate against, and not for the benefit of, the husband. So, however, it did by depriving him in favour of the children of his chance of acquiring the absolute dominion over W.'s personalty accruing during the coverture, and it is difficult to see why the ultimate interest in default of issue should not be given to him, and how, if given, it is possible to attribute less importance to that than any other of the trusts by which the property was agreed to be bound. We have expressed our disapprobation of this case, because it is cited as an authority in support of two recent questionable decisions of Vice-Chancellor Malins, in *Dickinson v. Dillwyn*, 17 W. R. 1122, and *Carter v. Carter* (not reported).

## COURTS.

### COURT OF CHANCERY.

LORDS JUSTICES (Westminster).

Nov. 2.—Lord Justice Giffard, before opening the business of the court, made the following observations with reference to the late Lord Justice Selwyn:—

"It is impossible that this court can resume its sittings without referring to that which, on this day, is doubtless present to the minds of all in both branches of the profession—namely, the loss we have all sustained by the death of the late Lord Justice Selwyn. Called to the bar in 1840, he became a Queen's Counsel in 1856, and afterwards attained the office of Solicitor-General, and was raised to the bench, having had in these courts a practice extending over twenty-seven years, successful from the commencement of his career, and not, on the whole, inferior to that of any of his contemporaries. It was, therefore, to be expected that he would administer the law, of which he had so much experience, with ability and with decision, nor was that expectation in any respect disappointed. It was my lot, and, I may add, my happiness, to be associated with the late Lord Justice as his junior on the bench, and though that was for a few, very few months only, I may be permitted to say how certain I am that no man could have brought to the discharge of his duties a more complete and ready knowledge, a more manly judgment, a more anxious desire that in every case truth and justice and right should be done. His memory is also dear to all of us as that of a personal friend in all truth and sincerity."

Nov. 3.—*Business of the Court.*

On taking his seat this morning, Lord Justice GIFFARD said that it might be convenient to the Bar to know that the lunacy and bankruptcy business would for the present be taken on Saturdays.

### QUEEN'S BENCH.

(Sittings in Banco.—Before the LORD CHIEF JUSTICE and MELLOR, LUSH, and HANNEN, JJ.)

Nov. 4.—*Business of the Court.*

The LORD CHIEF JUSTICE stated that Mr. Justice Hayes would come into court this day (Saturday) to hear any motions to be made for new trials in cases tried before him.

### COMMON PLEAS.

(At Nisi Prius.—Before M. SMITH, J., and a Common Jury.)

Nov. 3.—*Bedford v. Greaves.*

*Keane, Q.C.*, and *Geary*, were for the plaintiff; and *Chambers, Q.C.*, and *Day*, for the defendant.

This was an action by an attorney at Amersham against the publisher of the *Buckinghamshire Guardian*, to recover damages for certain alleged libels which appeared in that newspaper. The libellous matter referred to the election of clerk to the Amersham Board of Guardians, for which the plaintiff and a Mr. Charsley were candidates.

*Verdict for the defendant.*

### APPOINTMENTS.

Mr. MICHAEL FRANCIS DWYER, of the Irish Bar, has been appointed Registrar of Deeds in Dublin, in the room of Mr. Morgan O'Connell, who has resigned the office. Mr. Dwyer was called to the Bar in Ireland in Hilary Term, 1844.

Mr. EDWARD JOHN COX DAVIES, solicitor, of Crickhowell, Brecon, has been elected Clerk to the Magistrates of the Blackwood division of that county, in the room of the late Mr. Richard Waters, deceased. Mr. Davies took out his certificate as an attorney in Hilary Term, 1846, and is a commissioner for taking affidavits.

Mr. RALPH BAGSHAW, jun., has been appointed by Mr. Flint (coroner) (with the approval of the Lord Chancellor), to be Deputy Coroner for the northern division of the county of Warwick, in the room of the late Mr. Blagg, deceased. Mr. Bagshaw was certificated as an attorney in Trinity Term, 1863.

Mr. EDMUND CRESSWELL PEELE, solicitor, has been elected Town Clerk of Shrewsbury, in the room of his father, Mr. Joshua John Peele, who has resigned on account of long-continued ill-health. Mr. J. J. Peel held the office of Town Clerk of Shrewsbury since the passing of the Municipal Corporation Act in 1835, and his son and successor has latterly acted for him in that capacity.

MESSRS. RICHARD J. WALKER and FREDERICK RUTTER, of Manchester, have been appointed Joint Clerks to the county magistrates of the Manchester division, in the room of the late Mr. W. S. Rutter. The only other candidate for the office was Mr. J. A. Foyster, jun., solicitor, of Salford. Mr. F. Rutter is a son of the late magistrates' clerk, but neither he nor Mr. Walker are solicitors.

Mr. GEORGE MUTLOW ABELL, solicitor, of the city of Gloucester, has been appointed a Commissioner to administer oaths in Chancery in England.

Mr. OSBORNE DAUNCEY, solicitor, of Wotton-under-Edge, Gloucestershire, has been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Gloucester.

Mr. THOMAS DAVENPORT GOODMAN, solicitor, of Chapel-en-le-Frith, Derby, has been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Derby.

Mr. JOHN WATKINS JOHNSTON, solicitor, of Stockport, Cheshire, has been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Chester.

Mr. THOMAS RADCLIFFE, solicitor, of Blackburn, Lancashire, has been appointed a Commissioner for taking the acknowledgments of deeds to be executed by married women, in and for the county of Lancaster.

Mr. FRANCIS HARTLEY, solicitor, of Burnley, Lancashire, has been appointed a Commissioner for taking the acknowledgments of deeds to be executed by married women, in and for the county of Lancaster.

Mr. CHARLES BAYLEY KING, solicitor, of Birmingham, has

been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Warwick, the county of Worcester, and the county of Stafford.

Mr. EDWARD JOHN FRASER, solicitor, of Craven-street, Charing-cross, has been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Middlesex, also in and for the city of London, and the city and liberties of Westminster.

Mr. WOODFORD FROOKS, barrister-at-law, of the Western Circuit, has been elected to represent the ward of Clifton in the Town Council of Bristol for the ensuing three years. Mr. Frooks, who resides at Bristol, was called to the Bar at the Inner Temple in January, 1844.

## GENERAL CORRESPONDENCE.

### SOLICITORS' BOOK-KEEPING.

Sir,—A solicitor at Braintree has been sentenced to twelve months' imprisonment for appropriating to his own use the moneys of his clients. It is almost unnecessary to point out to solicitors the danger of mingling clients' moneys with their own. It cannot be doubted that a solicitor appropriating to his own use money confided to him by his clients is guilty of a greater crime than picking a pocket or robbing a till; for he adds breach of trust to theft, and uses the confidence of his employer for the purpose of robbing him. It is to be feared that the offence of thus misappropriating the property they hold in trust is more frequent than the public are aware. On this point we ask your sanction to say a few words, and to state a little of our experience.

Twenty years ago our Mr. Kain was urged, by some members of the profession, to devise a system of solicitors' book-keeping which could be easily learnt, and by which a practitioner could at any moment know the exact amount of money he had in his hands belonging to his clients, and at the same time test its accuracy by ascertaining his own profits and also the exact amount due to him for capital, cash in hand and at the bank, and also the amount of book debts owing to him. Our Mr. Kain devised such a plan accordingly, and our records show that the plan has been adopted in 1,821 solicitors' offices, in none of which could the appropriation of clients' moneys occur unless done wilfully.

Of course it would be said that in the case referred to the misappropriation was wilful, and therefore that no system of book-keeping would avail, but it may also be surmised that the peccant solicitor alluded to began unconsciously, and with smaller amounts than that (some £300) for which he was ultimately convicted. The object of good book-keeping is more to prevent than to cure. If a solicitor has constantly before his eyes the results above enumerated, he can scarcely go wrong unless he belies all his antecedents.

Solicitors are proverbially bad accountants. An attempt was made some few years ago to embue the rising profession with a better knowledge of book-keeping, by requiring all articulated clerks in their intermediate examination to show some proficiency in so useful an art. It is within our knowledge that at first much pains were taken to acquire the necessary information, but after a time for some inscrutable reasons, the rules were altered and the word "mercantile" was prefixed to the word "book-keeping," thus ostensibly putting a veto upon any studies by which, in this respect, the peculiar requirements of a solicitor's office might be attained. At the same time the questions themselves became of so elementary a character that it is doubted whether any attention is now paid to the subject till the moment for examination arrives. Indeed, anecdotes are rife of the questions themselves being treated with great irreverence.

During our twenty years' practice as law accountants we have met with very painful cases, where the consequences of bad book-keeping fell with disastrous effect on widows and children, cases where the receipts and payments, although duly entered in the cash book, were never cast up and balanced, and but fitfully posted to the client's accounts in the ledger; therefore no balance could ever be struck. In such cases we have mostly found sums, more or less large, were due to the clients, while, on the other hand, on our making out the bills of costs and ascertaining the book debts due to the estate, we have found these also

more or less large in amount, but of comparatively small value, owing mainly to the delay in sending in and the consequent bar by statute of the bills of costs. We have found generally that small capitalists in provincial towns place their savings in the hands of solicitors to an extent which is almost incredible. We have known of towns where wide spread distress has been caused by the death or failure of solicitors where such confidence has been placed. We have also found, as might have been expected, that cases of wilful fraud are rare. In numerous cases we have detected fraud by clerks, carried on systematically for years, the careless system of book-keeping rendering detection by a principal almost impossible. Indeed, we could fill many of your columns with anecdotes were we to relate some of the cases where much loss and much distress, public and private, has arisen from neglect in making out and sending in the bills of costs, and from bad book-keeping.

KAIN, SPARROW, WITT, & CO.

69, Chancery-lane, W.C.

### INFERENCE OF FRAUD.

Sir,—If I am not much mistaken, I have read somewhere in the volume of the *Solicitors' Journal* just completed a statement that the judges, having power reserved to them to draw inferences of fact as a jury, will not infer fraud where a special case does not give fraud as a fact; and I think for that position three cases were cited.

I have looked carefully through the index just published, as also through the current *Weekly Reporter* digest, but in vain.

If the volume contains such a statement, I should be obliged by a reference to the page. J. H. B.

[We can call to mind no statement such as that referred to by J. H. B., nor can we imagine such a rule as having been laid down. All courts are reluctant to infer fraud, but a court will infer fraud in cases where any other inference would be an absurdity.—Ed. S. J.]

## OBITUARY.

### MR. GEORGE PACKWOOD.

The death of Mr. George Packwood, solicitor, of Cold-harbour-lane, Camberwell, and of Nicholas-lane, Lombard-street, City, took place on the 29th October, at the age of forty-seven years. Mr. Packwood was certificated as a solicitor in Easter Term, 1864.

### MR. FRANCIS HOOLE.

This gentleman, who was a solicitor of Sheffield, died at Scarborough on the 2nd November, in the sixty-ninth year of his age. Mr. Francis Hoole, who was a member of the Sheffield firm of Hoole & Tattershall, took out his certificate as an attorney and notary in Hilary Term, 1826. He was a member of the Metropolitan and Provincial Law Association, and also of the Solicitors' Benevolent Association.

## SOCIETIES AND INSTITUTIONS.

### METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

#### MEETING IN YORK.

The members of this association met at York, on Tuesday, on the 19th ult., being the guests of the Yorkshire Law Society, and commenced the transaction of business in the Poor Law Guardians' Board Room, in Museum-street, which had been kindly lent for the purpose. The following solicitors were present:—Arthur Barnes (Lichfield), J. W. Hamilton Richardson (Leeds), Henry Anderson (York), J. F. Spurr (Scarbro'), W. Brignall, jun. (Durham), George Hodgson (Driffield), W. Watson (Hedon), H. Gaskell Taylor (St. Helen's), Thomas Thompson (Hull), Meek Dyson (Boston Spa), S. Alcock, jun. (Sunderland), Thomas Hawdon (Selby), Henry Bell (Birkenhead), L. M. Cockcroft (Newcastle), J. A. Bush (Newcastle), J. B. Falconer (Newcastle), John Atkinson (Liverpool), J. P. Wood (York), R. R. Blyth (York), Thomas Arison (Liverpool), J. A. Bromet (Tadcaster), O. R. Garwood (York), E. Turner Payne (Bath), Edward Banner (Liverpool), Hugh Dunn (Darlington), T. M. Weddall (Selby), Joseph Munby (York), R. R. Dees (Newcastle), A. H. Russell (York), T. S. Noble (York), Richard Perkins (York), G. J. John



son (Birmingham), R. A. Payne (Liverpool), T. L. Bickers (Tadcaster), R. J. Parker (Selby), Edward Lawrance (London), Philip Rickman (London), J. J. P. Moody (Scarbro'), W. Walker (York), Henry Brearey (York), George Brown (York), Robert Dale (York), J. P. Guy (York), Jas. Grayston, jun. (York), John Holtby (York), John Leak (Hull), J. W. Mann (York), T. G. Mann (York), Arthur Thompson (York), H. J. Ware (York), W. P. Husband (York), Martin Richardson (Bridlington), G. C. Roberts (Hull), Robert Holtby (York), W. H. Cobb (York), Henry Wood (York), F. W. Calvert (Scarbro'), C. F. Tagart (London), B. Dixon (Wakefield), Charles Naylor (Leeds), William Shaen (London), John Case (Maidstone), Robert Danby (Stamford Bridge), John Yates (Liverpool), J. S. Torr (London), John Watson (Pickering), E. C. Petgrave (Bath), Charles Bischoff (London), John Chambers (Sheffield), G. A. Nesfield (Scarbro'), William Radcliffe (Liverpool), Wm. Saville Wood (Pontefract), William Dargett (Newcastle-on-Tyne), J. M. Clabon (London), W. B. Richardson (Scarbro'), J. J. Leeman (York), John Ansdell (St. Helen's), Francis D. Lowndes (Liverpool), F. S. Hull (Liverpool), C. T. Saunders (Birmingham), Wm. Crossman (London), James Street (Manchester), J. Lingard Vaughan (Stockport), W. H. Guest (Manchester), Percy Woolley (Manchester).

The CHAIRMAN (Mr. Edward Lawrance).—My first duty, and it is a very pleasing one, is to congratulate you upon this your 22nd anniversary meeting of the Metropolitan and Provincial Law Association. It is a substantial proof of its inherent vitality. I speak not of its financial position, with which at present we have nothing to do; yet although we do not profess to be a wealthy body I believe we have sufficient to pay our debts.

My first reference is to the attempted legislation of the past year. Of those bills which more especially affected us, the first was Mr. Norwood's County Court Proceedings Bill, which contained many useful provisions which we shall have the opportunity of discussing on some subsequent occasion. Another bill re-introduced by Mr. Norwood was Mr. Shaw Lefevre's Married Woman's Property Bill, 1868. That bill, upon which you remember there was a very extended discussion, will, if again introduced, require careful consideration on the part of our branch of the profession. If the bill be carried in its present form it will create a great revolution in reference to husband and wife as regards their property. It probably might lead the profession to advise their clients of every degree to do what they are in the habit of doing for their more aristocratic clients—viz., to make a pre-nuptial agreement or settlement as to after-acquired property, even although at the time of making such settlement no such acquisition of fortune was contemplated. Unless some such step be taken I apprehend that the acquisition of wealth will prove a misfortune, and be the means of interminable jealousy, for it might place the husband in the position of being liable for his wife's debts without his having any control over her property.

Another bill requiring grave consideration is Mr. Locke King's Real Estates Intestacy Bill. If that bill should have a tendency, as I think is contemplated, to effect the sub-division of property into minute portions, I think it would be deprecated by every legal body in the kingdom. This meeting is not intended to discuss politics, nor is this a political question; but if there be one thing more than another which would tend to destroy the legitimate influence and position of the great landed proprietary, it would be the minute sub-division of land. But the apprehended mischief of the bill may be to a considerable extent met by our advising our clients, as a salutary measure, always to make their wills. I am quite sure that no more disinterested advice can be given by a solicitor, and especially should a client be advised to discharge that duty to himself and his family before age or sickness comes upon him, and when he ought to be thinking of other and better things. I am quite sure that if it were a fixed rule in the profession it would cease to be considered obtrusive if at the period of marriage or other period when we come into contact with our clients we tendered this advice to them. The provisions of this bill, if again introduced, will, of course, in like manner receive the careful consideration of the profession, not only with reference to its principle, but to its minute details. And I may say of these and other bills of which the profession must necessarily have the ultimate working that it is our duty to suggest such amendments as seem to us to be useful. The two great societies, the Incorporated Law

Society and the Metropolitan and Provincial Law Association, which two societies fully and fairly represent the attorneys and solicitors of the united kingdom, are now, so to speak, recognised bodies in the State; any suggestions made by those societies receive the most serious attention from both Houses of Parliament, for it is felt that it is in the general interests of the public to recognise in legislation the practical views of practical men. And, although I am afraid the world will not give us credit for disinterestedness, I am quite sure that there are no more zealous and earnest law reformers than the lawyers.

I must now mention another and very important piece of attempted legislation which I would very much rather had been brought before you by my excellent friend and every man's friend, Mr. Edwin Field, who I am sorry to say is prevented by illness from being with us. I allude to the ministerial bill for the proposed purchase of a new site for the Courts of Justice other than that which has been already purchased and paid for, and is now lying unoccupied at an enormous loss of interest upon the purchase-money. If Mr. Field had been here, I should certainly have been prepared to have endorsed all his language, however earnest and emphatic. I consider that the question of the rival sites is one not particularly affecting us, but largely affecting the public interests. The purchase of the present site was no hasty or ill-considered measure—every fact connected with the purchase had been fairly and fully considered. At first it was considered that a grand palatial building might be erected on the Thames Embankment, and the superiority of that site was contended for by Sir Charles Trevelyan upon purely æsthetic grounds, which are now unhesitatingly abandoned; then at the last moment the Chancellor of the Exchequer proposes to purchase other land of like dimensions with the Carey-street site, to build the Courts of Justice, where they would be scarcely visible from the river and not at all from the leading thoroughfare. I really could not have supposed that the demon of party could have been invoked for such a purpose. But the Premier, at the suggestion, doubtless, of the Chancellor of the Exchequer, was driven to move for a committee to consider the rival sites, and that committee, although so to speak of his own nomination, reported in favour of the Carey-street site. And upon that committee I think we are bound to acknowledge the services of Mr. Gabriel Goldney, the member for Chippenham, who was for many years a member of our branch of the profession. Although the project of the Chancellor of the Exchequer has been reported against, we must not suppose that our battle has been won; and I strongly urge you to use your legitimate influence with your county and borough members (and I am quite sure that no other means would be resorted to by you, although such a charge has been made against us by those who are not remarkable either for geniality of manner or courtesy of tone) to induce them to give the question a fair consideration, quite apart from politics, for it is not and ought never to have been made a party question. I am quite satisfied that, apart from the very serious delay which would be the inevitable result of selecting a new site, the site first selected is the best. And another strong argument in favour of the Carey-street site which did not exist at the time of its purchase is the recent completion of the Holborn Viaduct, by which the access from the City to Carey-street will be greatly facilitated.

I now propose shortly to deal with those bills which have become law. The first in order, although not a very important one as affecting the London practitioners, is Mr. Hatfield's Special Bails Bill, which facilitates the taking of special bail in the country. It was at one time proposed to extend the operation of that bill to London, but upon an intimation by Mr. Hatfield that any amendment might have the effect of defeating or postponing the measure, the proposed amendments were withdrawn. It is due also to Mr. Hatfield to recall to some of our younger members that he was formerly a member of our branch of the profession, and has always been ready to assist us in any practical measures.

Another Act to which I will call your attention is the Act for the further amendment of the Law of Evidence. I believe the bill was introduced by the Hon. George Denman. I certainly am prepared to echo the words of the preamble, and to state that the discovery of truth has indeed been signally promoted by the removal of restrictions, and although I shared in by-gone years the prevailing delusion that a broad distinction should be

drawn between the competency and credibility of witnesses, and that parties to a suit should not be examined, I am now prepared fully to admit that it was absurd in contentious matters to exclude the evidence of those who knew most about them. The Act enables parties in suits for breach of promise of marriage to be witnesses, and also in suits for adultery for parties, and their husbands and wives, to be witnesses. It must be a great satisfaction to parties to a suit to know that whatever may be the result, they have at least had the opportunity of telling their own story in their own way.

Another useful Act which received the Royal assent was an Act to amend the County Courts Jurisdiction Act, 1868, and to give jurisdiction in certain maritime cases, extending that jurisdiction over ships and goods, and enabling parties, if they agreed to have matters of higher amount dealt with than those prescribed by the county court, and also enabling the judge of the county court to be assisted, at the request of either party, as he now is in London, by two competent mercantile assessors. My professional friends at Liverpool are also doubtless aware that an assessor of the Court of Passage has, by the 6th section of that Act, power to make general rules and orders for regulating the practice and procedure of our Admiralty and Maritime Jurisdiction Court.

There is also another very important Act which remedies a long-existing grievance, and of which I have no doubt the public will hereafter feel the benefit. I allude to the Act to abolish the distinction as to priority of payment which now exists between the specialty and simple contract debts of deceased persons, and which will come into operation as to the estate of every person who shall die on or after the 1st January next. Of course I do not know whether the Act will meet with general approval, but it seems to me to be based upon substantial justice. You are doubtless aware that for many years past no such distinction has existed in bankruptcy, and that all creditors, whether by specialty or simple contract, rank rateably in the distribution of the bankrupt's estate. You must frequently have seen, in administering the estates of deceased debtors, specialty claims tendered—probably bonds given by the deceased upon the marriage of his daughter, or for the advancement of his son, for which there has been no substantial pecuniary consideration; and those claims not only rank in priority against the estate of the deceased, but rank to the exclusion of all simple contract creditors, although those debts may have been contracted with full consideration, such as goods supplied to the deceased in the way of his trade. So that the administration of the deceased's estate is rather a process of absorption for the benefit of family creditors than of distribution. An attempt was unsuccessfully made a few years since to render the estate of the deceased trader liable to the bankrupt laws. The present Act practically attains that end, and although it may press hardly upon those who would claim the benefit of specialty debts bearing date before the Act comes into operation, I think on the whole it is a highly beneficial measure.

I have but a few observations to make upon an Act which, though dealing with large sums of money, does not materially affect us or our clients. It is the Act for amending the law relating to the salaries, expenses, and funds of courts of law in England, and is an Act rather for the transfer of certain stocks and funds of the suitors of the Court of Chancery to the Consolidated Fund. Of course the Consolidated Fund is as good a debtor as the Court of Chancery. The suitors, therefore, need be under no apprehension as to ultimate payment, and I am willing to assume that the convenience of the State has been promoted by the passing of the Act. There is, however, one fund transferred by this Act to which, incidentally, I wish to call your attention—namely, the sum of a million and a quarter, in round figures, standing to the credit of the Bankruptcy Fund account. Now, as both here and out of doors we have always associated bankrupts and bankrupts' estates with the entire absence of assets, you will immediately be curious to know how this large amount has been accumulated. In truth it represents unclaimed dividends, balances of a vast number of estates too small to be susceptible of division, and interest upon a portion of the fund, and the great part will probably never be claimed. But the Chief Registrar's Fund, forming a portion of the before-mentioned amount, was the fund whereto assignees and creditors resorted for payment of the costs incurred by them by direction of the Court in the prosecution of fraudulent bankrupts. This fund will certainly no longer be available for that purpose. You will find that the only fund out of which those costs will in

future be paid will be what we understand by the county allowance. Perhaps, however, my future observations upon this will come more properly when I am calling your attention to the provisions of the new Bankruptcy Act.

There are three other Acts to which I must call your attention—namely, an Act to consolidate and amend the law of bankruptcy; an Act for the abolition of imprisonment for debt, and for the punishment of fraudulent debtors, and for other purposes; and an Act to provide for the winding-up of the business of the late Court for the Relief of Insolvent Debtors and repealing certain existing statutes. The first of these Acts is the most comprehensive. As to that Act, I had hoped that we should have been favoured with some paper on bankruptcy from some one of our members, and that a general discussion would have been taken upon it. But, in the absence of such a paper, I think it my duty, with your permission, and having some practical knowledge upon the subject, to make some observations upon this most important Act. I think it very much to be regretted that the bill which was drawn last year, and which was settled clause by clause by the most skilful Parliamentary draftsman of modern days; a man of large experience and the highest order of talent, and who made plain English tell its own story in the simplest possible manner—I allude to Mr. Reilly—that that bill, which had been so carefully drawn which had been submitted to all the provincial law societies and chambers of commerce, and obtained their approbation, many of their suggestions having been adopted, should have been ignored, and a fresh bill drawn by a gentleman undoubtedly of great talent, but who absolutely knew nothing of bankruptcy until he was instructed to draw this bill. Hence the very imperfect state in which that bill was first presented to the public, and hence the very imperfect state, notwithstanding many alterations, in which it still remains. I make these observations in no captious spirit, but really in the tone of the deepest regret, as I feel that the general interests of the trading community, which were assumed to be, and which ought to be, the first consideration, have been in many important particulars seriously neglected. Neither the Incorporated Law Society nor this society are to blame for the present defects in the bill. I think I may unhesitatingly say, without fear of contradiction, that if our several suggestions had been attended to the bill would have presented a very different and much more useful aspect. Immediately upon the bill being brought in our respective societies formed committees for the purpose of considering the several provisions, and suggestions were forwarded to the head quarters. As I have before stated, it is a proof of the weight and influence of our respective societies that many of our suggestions were adopted. And here I must bear testimony to the very great assistance we have received from our well-known friend and professional brother Mr. George Gregory, the member for East Sussex, who was always accessible and rendered us the most substantial aid.

The first section to which I will call your attention is the 6th, which provides that the petitioning creditor's debt must be in respect of a liquidated sum due at law or in equity. You are, of course, aware that the law as it now stands, and as it has stood since the 5th Geo. 2, enables a client to petition in respect of a debt not due, provided the debtor has committed an act of bankruptcy; in other words, that the commission of an act of bankruptcy matures every debt. But here divers acts of bankruptcy are enumerated, and yet creditors cannot take any advantage of any one of them if the debt is not due. Now the practical result will be this, and I press this very strongly upon your attention, because it will, I think, be necessary in the interest of trade to ask the Legislature to apply a remedy at the earliest possible moment. I will put a simple illustration. I will suppose that a man wishing to start in business borrows from a relative £2,000, giving him as security a promissory note payable on demand. Upon the strength of that advance, which he would communicate to the wholesale houses with whom he proposes to open accounts, he would probably be able to purchase goods in the Manchester market to the amount of £10,000 or £15,000 upon the usual terms of credit—say three months. With those goods he starts in business. If at the end of six weeks or two months his prospects are not bright, the relative may, acting upon the gentle intimation so frequently conveyed to favoured creditors, obtain judgment upon his promissory note at the expiration of twelve days, and sell by public auction or private contract, and may pay himself; and the debtor may announce to his other creditors, whose debts are not due, that he intends to make no provision for them, but that he intends to emigrate.

with the proceeds, leaving the chance of payment to some future day. The creditors will probably stand aghast at this announcement, but they are absolutely without remedy. They cannot adjudicate him bankrupt in respect of the seizure under the execution, or of any one of the acts of bankruptcy named in the statute, nor can they stop him if he depart from the country. Now, this is such a monstrous reversal of the first policy of the bankrupt law that it is really difficult to understand why the alteration was made. I know that the attention of the Legislature was called to the objection at the earliest possible moment, and strong reasons urged for allowing the law to remain as it stands at present; and I am told that in the committee on the bill in the House of Lords there was a division of five against five as to the retention of the clause in its present shape, the casting vote being, however, in favour of the alteration; and I assume that this was done upon the principle that non-traders ought not to be made liable to the bankrupt laws in respect of debts not due. The answer to this objection is, I think, that the application of the clause making debtors liable in respect of debts not due might have been restricted to traders.

I may also here notice that there is no clause requiring the sheriff to sell by public auction.

The Act proposes to give creditors greater powers in the management of their own affairs by introducing what is assumed to be the Scotch system. Now, I conceive that creditors are the fittest persons to manage their own affairs, but not the fittest persons to undertake the administration of estates in which they are interested; I was an advocate for the retention of official assignees under certain modifications. I consider the proposed mode of appointing trustees exceedingly cumbersome, and that it will work inconveniently in practice. There is the greatest possible difficulty in inducing creditors to attend meetings or take personal part in the discussion as to the fitness of proposed assignees. There is great difficulty in getting them to prove their debts or even to receive their dividends. The consequence therefore probably will be, that the trustee will be appointed by canvass out of doors, and that the man who is most energetic in the canvass—not always the fittest man—will succeed in obtaining the appointment. Again, the resolution declaring what security is to be given will be found to work very inconveniently, as the amount of the security ought to depend upon the amount of the assets, and at that early period it is exceedingly difficult, if not impossible, to put a value upon them. But this security is to be given before the trustee enters on the duties of his office. Again, the creditors having first qualified themselves to vote by proving their debts, are to appoint other fit persons, not exceeding five in number, to act as a committee of inspection. Now, does any reasonable man suppose that any number of creditors will take upon themselves the duty of supervising the acts of the trustees, taking upon themselves that trouble without payment; and what advantage would the creditors gain by appointing a trustee if they were themselves to do the work of supervision? And is it to be supposed that an independent trustee, of good position, such a man as one would like to see administering bankrupts' estates, would submit to such a supervision?

It seems to me a machinery not at all adapted to the very large majority of estates. I do not propose to trouble you with the details of the mode in which the justice is required to discharge his duty, but I invite your special attention, because it does affect our branch of the profession, to the 29th section, which provides that where the trustee is himself a solicitor he may contract to be paid a certain sum by way of per centage, or otherwise, as remuneration for his services as trustee, including all professional services. Now you will confer a great obligation, not only upon the London solicitors, but upon your provincial brethren, if you will not only by discussion to-day, but in your several societies, consider whether it is expedient, as a rule, that solicitors should propose to act as trustees in the administration of insolvent estates. Whether they would be in the majority of cases appointed by the creditors of course I am not prepared to say. I think they would. Still the question remains, whether the solicitors should take upon themselves the discharge of those duties. I speak not of the liability necessarily incident to the office of trustee, because if a trustee is prepared to do his duty he need not fear any consequences, but I am looking at it in a professional and remunerative point of view. Of course men who have attained my period of life have old fashioned prejudices. I do not like to be paid by a per centage and placed on a level

with debt collectors. It seems to be against the etiquette of the profession. But we are still bound to look at it as a matter of fact. Do we contemplate allowing accountants entirely to supersede us in the administration of insolvencies. Perhaps we ought not to be disturbed by qualms of conscience as to professional status; but we must consider whether the probable remuneration would compensate us for the trouble. I admit there would be very considerable difficulty in fixing the amount of remuneration. Of course it is impossible to foresee what estates will realise, and assuming a per centage to be agreed upon the assumed amount of assets, it would be necessary to have a saving clause that this should not cover the costs of actions at law to be brought by, and still less of actions to be brought against, trustees. Of course the accountants as a body would be opposed to solicitors competing with them, and this might place solicitors in the very invidious position of being underbid or underbidding in settling the terms of remuneration. You will perceive that by the terms of the section no solicitor or other agent is to be employed by the trustees without the consent of the committee of inspection, so that if a trustee does appoint a solicitor without such consent he would have to pay him out of his own remuneration. This would of course make the solicitor the servant of the trustee. But if the solicitor be appointed with the consent of the committee, then I apprehend he would be entitled to be paid out of the general estate. Still the main question remains, whether we shall in any case consent to act as trustees, or steadfastly refuse under any circumstances to take upon ourselves that office. I again ask you to give the matter your early consideration, and to report the result of your deliberations to the two parent societies in London. In this and all other matters it is desirable that the legal profession should act with as much uniformity and consistency as possible. It may be that the old practice may still be found the most convenient to adhere to—namely, that the creditors should appoint a solicitor who would be adopted by the trustee, and that his costs should, as heretofore, be paid out of the bankrupt's estate. Otherwise, if no such resolution to appoint a solicitor be passed, and the trustee requires, as he necessarily would, the assistance of a solicitor in the administration of the estate, the trustee would of course be interested in making the closest possible bargain with the solicitor, seeing that his bill of costs would come out of the trustee's remuneration.

I cannot avoid making a few observations upon the difficulties imposed upon the bankrupt in the way of obtaining his order of discharge and the general status of an undischarged bankrupt. I always have thought, and still think, that if a man has given up all his estate he is entitled to his release. If he has contracted his debts fraudulently or inconsistently with fair dealing, punish him; but if he has surrendered all he has, give him at least the opportunity of retrieving his position and send him back into the world again with a chance of getting a living in the future, and of becoming a wiser and a better man; but do not pass upon him sentence of perpetual mercantile excommunication. It may, indeed, be said that a bankrupt is entitled to his order of discharge if his estate shows ten shillings in the pound, but experience has shown that men who have assets which upon realization by forced sale would produce ten shillings in the pound are never likely to suspend payment until those assets are reduced to a much smaller amount. The estate which produced ten shillings in the pound under bankruptcy would probably represent assets which, if realised in the usual course of trade, would be worth fifteen shillings in the pound. Again, is it not an inducement for a man to buy largely upon the eve of his bankruptcy for the purpose of approaching more nearly to the required amount of ten shillings? But assuming that his estate only realises five shillings in the pound, and that his debts are large, how can he so long as he is without his order of discharge get into business, earn and accumulate the necessary profits to make up the deficiency? Will the wholesale houses trust a man under those circumstances? I think not; and he thus, therefore, will not be likely to obtain, or try to receive, the statutable amount. Then a bankrupt is to have, if his estate at the close of the bankruptcy (and this is a very uncertain term) has not produced ten shillings in the pound, a quasi letter of licence for three years to enable him to make up the deficiency, and if at the end of three years he has not made up that amount, then the creditors whose hands are stayed during the three years are restored to their rights as creditors, not in respect of the difference between the



five shillings he may have paid and the ten shillings he is required to pay, but for the remainder fifteen shillings in the pound, thereby, of course, trebling the amount of his liability. But the creditors are not to take proceedings against the bankrupt upon the judgment so to be obtained, without leave of the Court, who will inquire into the debtor's means and ascertain the amount of new debts contracted. Now, what a scene of fraud this will open. Does any reasonable being suppose that even if the bankrupt is possessed apparently of considerable assets representing after-acquired property, the old creditors will participate in it to the extent of a single shilling? Every species of device will be resorted to for the purpose of interposing between the old creditors and their rights. I strongly deprecate legislation which has a tendency to engender fraud. No doubt it is true that the Court may, with the assent of the creditors, by special resolution grant a bankrupt his order of discharge without payment of ten shillings in the pound, if in their, the creditors' opinion, his failure to pay the required ten shillings has arisen from circumstances for which the bankrupt cannot justly be held responsible. Now, it will be exceedingly difficult to interpret these words; but, assuming the bankrupt to have paid the required ten shillings, or to have been absolved from that payment by the special resolution of the creditors, what is the value of the order of discharge when obtained, if it is not to be available if the debtor's liability has been incurred by means of any fraud or breach of trust (not specified), or from any debt or liability forbearance of which he had obtained by means of any fraud? The words are so wide, and the language so vague, that it seems to me that every order of discharge may be questioned at any period of a man's life, and that a conveying counsel advising upon an abstract of title to property in which the bankrupt was interested would, in addition to the usual inquiry whether he had obtained his order of discharge, be bound to inquire into the circumstances under which every debt was contracted.

The second of the acts to which I have referred—that imposing penalties upon fraudulent debtors—is open to the objection that the expenses of a prosecution are to be allowed, paid, and borne as expenses of prosecution for felony are now allowed, paid, and borne. This, of course, means that the prosecutors are to be entitled only to what we understand by the county allowance. Now any man who has ever instituted a prosecution, whether under bankruptcy or otherwise, knows that the county allowance, however inexpensively the prosecution has been conducted, does not cover a tithe of the expenses. I may instance one recently in which my firm was engaged, in which a prosecution was directed by the Master of the Rolls, and a prosecution followed. The county allowance was about £27, the actual expense incurred by the prosecution, and allowed after strict taxation by the strictest taxing master of the Court of Chancery, amounted to £600. As the law stood under the Act of 1849 the costs of the prosecution were paid out of the bankrupt's estates. Subsequently, I think by the Act of 1861, the Chief Registrar's Fund was chargeable with those costs, because it was considered unfair in the interests of the general public, for whose protection the bankrupt was prosecuted, that the estate of the particular bankrupt should be chargeable with the expense. But as the Chancellor of the Exchequer has now appropriated the whole of the Chief Registrar's Fund, and as it would be useless to apply to the Treasury for payment of extra costs, and in the absence of any provision to that effect of course no trustee under a bankrupt's estate would be justified in applying any part of that estate in payment of those costs, it really would come to this, that prosecutions having been deemed expedient, and the bankrupt having been convicted, the creditors would be obliged individually to contribute towards payment of the costs. It is not very likely, in addition to the loss sustained by the failure or fraud of the bankrupt, that the creditors would put their hands into their pockets to make up the required amount. The result, therefore, will inevitably be this, that there will be more offences and fewer prosecutions.

I find I have omitted to call your attention to the 70th section of the Bankruptcy Act, 1869, which enables every attorney and solicitor of the superior courts to practice as a solicitor in the Court of Bankruptcy and in matters before the Chief Judge. This you will probably remember is simply re-enacting the like section in the Acts of 1849 and 1861, but it is important as extending the privilege to practising before the Chief Judge. The reasonable interpre-

tation of the clause therefore is, that a solicitor may lead a cause before the Chief Judge in Bankruptcy in matters directed to be heard by him before a special jury of London merchants. And in the interests of that branch of the profession which I am now addressing I certainly shall take the opportunity of conducting the first special jury case which I may have to try before the Chief Judge in Bankruptcy.

It only remains for me to make a few observations upon the arrangement and composition clauses. I think it very much to be regretted that the Attorney-General so stoutly and strenuously refused to incorporate into this Act the Bankruptcy Amendment Act, 1868, known as Mr. Moffat's Act, and especially having reference to arrangement by deed, and which remedied all the existing evils in the Act of 1861 in that particular. The main benefits conferred by that Act were the exclusion of the secured debts of creditors in the computation of debts, and also the requiring creditors to verify their debts. The provisions for the registration of deeds of arrangement were, I think, as perfect as could be, and I think the facilities which enabled creditors to administer the estates of debtors in their own way, affording also to honest debtors the means of carrying through a composition—always more beneficial to creditors than the administration of an estate under an assignment—were greater than under any previous system. And yet, for this comparatively perfect system, one is introduced full of doubt and difficulty.

In order to enable the debtor to carry out a liquidation by arrangement, he must summon a general meeting of his creditors, and that meeting, by special resolution, is to define the nature of the arrangement which is to be confirmed at a subsequent meeting. But the Act requires that all the provisions relating to a first meeting of creditors in bankruptcy are to apply to the first meeting for liquidation. Now this involves the extreme inconvenience of creditors being required to prove their debts before they can pass their resolution. Practically, we all know that at the first meeting of creditors a general statement is laid before them. The vast proportion of those who attend are not creditors capable of proving their debts, but consist of solicitors, solicitors' clerks, or agents, who are required to attend simply for the purpose of obtaining information, and when the composition is ventilated and the assent of the creditors virtually, but not actually, obtained, then we proceed to carry out the arrangement. But now in order to enable us to pass the resolution, creditors who have proved can alone be allowed to vote upon it. At this early stage you do not actually know who the creditors are, who are the bill holders, or what may be the rights and equities of creditors as between themselves. But all these particulars must be ascertained, the amount of the debt actually defined, and the creditor prove his debt before he can vote. This, therefore, involves the practical impossibility of carrying any substantial resolution at the first meeting, and the easy and frequently conclusive mode in which the first meeting is now ordinarily held and the resolution passed will be absolutely impossible under the new system. It seems to me also that the importation of the registrar into the matter is quite unnecessary, and that instead of giving creditors additional facilities for dealing with their debtors, additional difficulties are imposed by these sections. In fact these clauses more than ever justify my observation that the statute has been prepared by unskilled hands, and is certainly not calculated in way particular to improve the remedies of creditors against their debtors. We shall, however, see what the proposed rules and orders do to remedy the existing defects, for as was truly said, so much is required to be prescribed by those rules and orders that the Act is an Act to enable the Lord Chancellor and the Chief Judge to make an Act for the administration of debtors' estates. And bad as the Act may be, it is our duty to make the best of it.

Another bill which was introduced last year, at the close of the session, and which will probably receive early attention, is the bill to amend the existing law of remuneration with regard to attorneys and solicitors. This bill was brought in by Mr. Rathbone, the member for Liverpool, Mr. Morley, the member for Bristol, and our friend Mr. Gregory. It is a very important question for further consideration why we should not be allowed to make a bargain with our clients. The bill was a very short one, but was calculated to work very great change in the relation between solicitor and client as regards the bill of costs. I am not at present prepared to accept the full scope of the bill, but it does seem to me unreasonable that while other trades and professions

are enabled to make contracts for the work to be done, attorneys should be unable to do so. Of course, if the bargain were oppressive on the client, the Court has the opportunity of setting it aside. It seems to me to be a bill to enable us to dispense with the formality of sending in a bill of costs, the loss of time incident to the preparation of it, and the annoyance of its being subsequently submitted to taxation. I believe that many of ourselves and our predecessors would have been richer men if relieved from the burthen of making out our bills of costs, and enabled to receive a sum certain in payment; and I believe myself that the client would be, as a rule, a considerable gainer by the contract, as, wherever the amount of the bill of costs has been guessed at after the business has been done, and before the bill had been made out, you almost invariably find that if the bill be afterwards made out—either at the request of a client or for one's own personal satisfaction—the amount so agreed to be accepted is very considerably less than that to which the solicitor is actually entitled. However, this is one of those matters which must be carefully considered by us in our several societies, not only with reference to its principle, but its details.

You have probably all of you read the first report of the Judicature Commission, a very able and comprehensive document. Immediately the commission was formed, each of the law societies took the matter up, and formed a joint committee for the purpose of making recommendations and suggestions. Papers were contributed by the different members of the two societies, the recommendations were carefully considered, and certain points being resolved upon, after anxious deliberation, they were forwarded to the secretary of the commission, and it is a singular fact that many of the suggestions have been adopted by the Judicature Committee almost in the language in which they were suggested. We were told before they were tendered to the commission that our recommendations would be attended to with the greatest respect. Many of the subjects, such as the concentration of the business of the courts; the carrying out of what seemed to be one of the first principles, that a man should obtain full justice in one court without being sent to another tribunal to complete his remedy, a course painful to the solicitor and frequently ruinous to the client; the suggested alteration of the jury system; and the alteration of the circuits, were, I think, recommended by us. I am glad to find that a further commission has been issued, including some additional names of great weight, and with an enlarged scope of subjects of inquiry. I sincerely hope at no distant period the suggestions made by the first report will become the subject of legislation, and that every future step will tend more and more to the simplification of the administration of the laws.

Before I conclude, I cannot avoid congratulating you upon the prospects of our profession, not in a pecuniary sense, because every step in modern legislation has been to diminish our profits, but in what we call its status. The present social position of our branch of the profession as contrasted with what it was when I entered it upwards of forty years since, would have transcended the wildest imaginings of the most romantic articulated clerk of those days. We then approached the bench with "bated breath and whispering humbleness," we are now received both in public and in private upon that equal footing to which we are entitled as educated men and as gentlemen, although the line of demarcation between the two branches of the profession still exists, improperly as many think, usefully as I think, in the general interests of the public and of the profession.

I have no doubt there are many other matters to which I as chairman of this meeting ought to have called your attention, but I have occupied your time at so great a length that I am positively ashamed of myself. It only remains for me to thank you for the kindness which you have extended to me with such exemplary patience.

After the Chairman's address, it was resolved unanimously that the next annual meeting of the Metropolitan and Provincial Law Association should be held at Bristol.

Mr. SHAEN, of London, then made some observations on the topics adverted to in the Chairman's address. He spoke favourably of the Married Women's Property Bill, stating that he was a member of the committee that drew it up in the first instance, and placed it in the hands of Mr. Shaw Lefevre. He then proceeded to point out how improvements might be made in its operation, and noticed the working of the principle in the state of New York. The bill, however, scarcely came up to his ideal of the state of

the law with regard to husband and wife. He would rather have it regarded as a partnership than as two individuals with exclusive rights. His belief was that, judging from the experience of other nations, very great good would result from the passing of the bill. He next alluded to Mr. Locke King's Real Property Intestacy Bill, but did not anticipate it would have a very large action, as most of the persons in this country possessed of land made their wills. Mr. Shaen next spoke of the proposed sites for the courts of law, and pointed out the influence of the association on members of Parliament, remarking that beyond doubt the Carey-street site was an admirable one. The question of the payment of prosecutions was of vital importance, and he proceeded to point out the injurious effects of the scheme as it at present stood. The county allowance differed enormously in different parts of England, and it was an exceptional case for the expenses of prosecutions to be paid by the county allowance. On the question of solicitors accepting trusteeships in bankruptcy, he agreed in the conclusions of the Chairman. He then remarked on the difficulties in the way of arriving at a satisfactory conclusion with respect to the remuneration of solicitors by contract, and concluded by moving "That the cordial and hearty thanks of this meeting be presented to the Chairman for his able and admirable address, and that he be requested to allow it to be printed, and circulated not only amongst the members of the association but of the profession generally."

Mr. H. GASKELL TAYLOR seconded the motion, which was carried unanimously.

Mr. KIMBER, of London, corroborated the remarks of the Chairman on the Bankruptcy Bill.

Mr. HULL, of Liverpool, commented on the report of the Judicial Commission, and concluded by proposing a resolution which had been passed at Liverpool, "That the committee approve generally of the report as far as it goes, but would like to see the suggestions contained in it put into a more practical form by the introduction of a bill next year."

Mr. RICHARDSON, of Leeds, seconded the motion.

A discussion ensued, in the course of which the CHAIRMAN objected to the association sitting in judgment on the report of the commissioners, who, in fact, had not yet concluded their labours, having, with the three additions he had previously mentioned, been recently re-appointed.

Mr. CLARON, of London, remarked that in his opinion there never was a commission that more admirably concluded the first portion of their labours by the production of a lucid and excellent report. He therefore trusted the motion would be withdrawn.

Mr. HULL explained that he did not wish to convey any censure on the commission, but his object was merely to save time by obtaining a more practical statement of their labours. He then withdrew the motion.

Mr. SHAEN moved "That in the opinion of this meeting there is no professional objection to solicitors accepting the office of trustees in bankruptcy under the Bankruptcy Bill."

Mr. KIMBER seconded the motion.

A discussion followed, in the course of which it was urged that it was more the province of the Association to discuss subjects than to pass resolutions, and, on a suggestion from the Chairman, the motion was withdrawn.

Mr. TORR, of London, spoke on the question of the remuneration of solicitors, and the desirability of a revised scale of costs. He asked the Chairman as to the present position of the question, and the steps which had been taken in the matter.

In reply, the CHAIRMAN gave an account of an interview on the subject with the Master of the Rolls, Vice-Chancellors Stuart and Page Wood, and several of the clerks. He had pressed upon their consideration the insufficiency of the remuneration of solicitors, and pointed out that the state of things which formerly justified the fixed sums of mark and noble had long since ceased to exist, and that the profession should be paid according to ability. A consideration of the question was promised, but although a year has passed nothing definite had resulted from the above interview. He thought if Lord Cairns had retained the Great Seal something would have been done. The present Lord Chancellor did not appear very favourably inclined to the propositions.

Three papers were next read, the first by Mr. CLARON on "The Fusion of Law and Equity," the second by Mr. F. D. LAWNDER, of Liverpool on "Legal Education," and the third by Mr. C. J. SAUNDERS, of Birmingham on "The Union of the Two Branches of the Legal Profession

considered with a special reference to contemplated Law Reforms."

Mr. JEVONS, of Liverpool, then spoke at length on the scheme for the university of law as suggested by the executive committee appointed at the meeting of deputations from provincial law societies held at Leeds last September. He quite endorsed every word in the paper of Mr. Saunders, and said that the meeting at Leeds, to which he referred, was in no way antagonistic to that society. He combated some of the objections to the proposed scheme of legal education, and alluded to the agitation which had been going on at Liverpool against the practical exclusion of attorneys from the magistracy. The steps which had, since the Leeds meeting, been taken with respect to the proposed university he described, stating that the Lord Chancellor had approved of the scheme, and a bill had been prepared. Mr. Jevons concluded by maintaining that solicitors ought to be as highly educated as the members of the bar, the members of the profession being greatly inferior in knowledge of the law, compared with other countries, through the want of a thorough legal university training.

Mr. CLABON thought the profession of solicitor and advocate had better remain as at present. With respect to the law university, he thought the more education both branches had the better. He concluded by an allusion to the difficult question of the funds that would be required.

Mr. H. ANDERSON, of York, disapproved of any scheme which would entitle solicitors to act as barristers and barristers as solicitors. He concluded by suggesting that any solicitor should be, on producing a certificate from the Incorporated Law Society that he had passed successfully all examinations, was duly qualified, and once being in practice, conducted himself in a proper and honourable manner, and was a member of the Law Society or some provincial law association, be entitled to be admitted a student of any of the Inns of Court, and at the expiration of three months from that date be entitled to be called to the bar.

Mr. HULL lauded the working of the New York system, where the status of attorneys and advocates was the same, though each had their own clients. There were from ninety to one hundred barristers in the House of Commons, and this solid phalanx monopolised all "the loaves and fishes" that were at the disposal of Government. The law university he had no doubt would be self-supporting.

Mr. ROBERTS, of Hull, dissented from the proposal of amalgamating the two branches of the legal profession; but was deeply interested in the question of legal education. The education of solicitors was very defective. He advocated the same educational facilities for the legal as for other learned professions, and with reference to the requisite funds they had all seen the funds of institutions which were not being satisfactorily employed made more available for educational purposes. He thought if this rule were applied to the funds of the Inns of Court there would be no injustice if the money was applied for the benefit of the members of the legal profession. He thoroughly agreed with the observations made by Mr. Anderson, and thought there should be an opportunity afforded for members of one branch of the profession entering the other if thought desirable. Nothing would facilitate this more than education at one college.

Mr. RICHARDSON, of Leeds, briefly spoke in favour of the amalgamation of the profession.

Mr. SHAEN, of London, spoke favourably both as regards the public and the legal body of the amalgamation of the branches of the profession. With reference to the proposed university, he suggested that it would be better than establishing a specific university to have a legal department in some of the present universities of the country. The funds of the Inns of Court belonged to the profession, and might be to some extent applied to the advancement of the education of the legal profession.

Mr. GRAYSTON, of York, read a paper on "The Law of Primogeniture," describing its origin and progress down to the present day.

The meeting then adjourned.

Wednesday, Oct. 26.—The proceedings commenced with the discussion of Mr. Grayston's paper on "Primogeniture."

Mr. DEES said the bill of last session was one of the most ill-considered bills ever introduced into Parliament. It appeared to him to be an unnecessary change in the law.

Mr. BROMLEY pointed out how the present state of the law worked in many instances a great injustice. He did not in

any way regard the greatness of this country as dependent on the maintenance of the law of primogeniture, and he gave in his hearty adherence to the proposed measure.

Mr. PAYNE, of Bath, pointed out several evils which might be obviated by legislation in connection with the subject.

Mr. CLABON, of London, then read a paper on the "Proposal for establishing a Law Benevolent Corporation."

Mr. PAYNE, of Liverpool, then read a paper on the "Charge by Ad-Valorem for Mortgages," after which

Mr. TORR proposed the following resolution:—"That this meeting desires the committee of management to give their best attention to the subject of the bill lately brought into the House of Commons by Mr. Rathbone for the purpose of amending the existing mode of remuneration, and to memorialise the Lord Chancellor (and such other judges as may be necessary) for a suitable increase in the rate and amounts of such portions of the costs of solicitors and attorneys as are paid by scale." With reference to the open system of contracts there was the objection that it might give rise to a system of under-selling each other in the profession. The object of Mr. Rathbone's bill was, however, to seek to obtain some more substantial remuneration for their services than the present scale allowed. There were many classes of business in which special contracts were impossible; and it was undeniable that the present scale of costs was totally inadequate as the solicitor's remuneration. He specially referred to more important cases, in respect to which there was merely the same compensation as in the paltry and ordinary ones.

The CHAIRMAN thought it would not be wise to in any way commit themselves as an association by sanctioning the bill of Mr. Rathbone, the provisions of which they perhaps had not all considered. Without doing this they could vote in favour of the amendment of the solicitors' remuneration scale.

Mr. GASKELL TAYLOR expressed his concurrence in the views of Mr. Torr.

After some discussion the motion, on being put to the meeting, was carried unanimously.

Mr. PETGRAVE, of Bath, next read a paper on "Requisitions of Titles and Open Contracts."

A discussion ensued, in which Mr. AVISON, of Liverpool, Mr. W. P. HUSBAND, of York, Mr. JOHNSON, of Birmingham, Mr. PAYNE, of Liverpool, and others took part, the speakers generally regarding the suggestions of the paper very favourably.

Mr. KIMBER, of London, read a paper on "Appellate Jurisdiction in Criminal Matters."

Mr. BREAREY, of York, made a few remarks on the subject, and called attention to the case of William Henry Barber, a solicitor, who was sentenced to transportation for forging a will. It afterwards transpired, through the confession of one of the witnesses, that the transported solicitor was entirely innocent, and he subsequently obtained a vote of £5,000 from Parliament. Mr. Brearey thought if a Court of Appeal had existed at that time he would doubtless have been able to prove his innocence.

The CHAIRMAN said that although a court of criminal appeal would be useful in investigating such a case as that referred to by Mr. Brearey, the public and the profession were very much divided in opinion as to whether Barber was guilty or innocent.

The reading of papers and the discussions having terminated,

The CHAIRMAN proposed a vote of thanks to the members of the Yorkshire Law Society for their kind and cordial reception and the almost regal hospitality which they had evinced towards the members of the Metropolitan and Provincial Law Association.

A vote of thanks to the Chairman was then moved by Mr. SEYMOUR, seconded by Mr. WARE, both of York, and carried unanimously.

Mr. MOODY, President, and Mr. WALKER, Secretary of the Yorkshire Society, received a similar compliment, and the proceedings ended.

#### LAW STUDENTS' DEBATING SOCIETY.

At a meeting of this society held on Tuesday the 2nd inst., Mr. Hargreaves in the chair, the following question was discussed:—"Does the present position of Cuba justify the interference of the United States?" The debate was opened by Mr. Warmington in the affirmative, but was



eventually decided in the negative by a majority of nine. Six gentlemen were elected members of the society, and the total number present was twenty-six.

### ADMISSION OF ATTORNEYS.

#### NOTICES OF ADMISSION.

*Michaelmas Term, 1869.*

[The clerks' names appear in small capitals, and the attorneys to whom articulated or assigned follow in ordinary type.]

BILL, FREDRIC.—William Henry Duignan, Bedford-row, and Walsall.  
BONE, EDWARD WILLIAM.—Allan Belfield Bone, Devonport; and Thos. Wm. Denby, 8, Frederick's-place.  
BROWNING, THOMAS WORLEDGE.—Michael Ellison, Gosport; and Thomas L. Bickers, Tadcaster.  
CATTLIN, HARRY WOLFE.—William Shaen, 8, Bedford-row; CHABOT, CLEMENT.—B. J. B. Fowler, Plymouth.  
EYVETT, GEORGE STUART.—Henry R. George Fowkes, 15, Walbrook.  
FOWLER, JOHN SEYMOUR.—Alexander Burnes Anderson, Liverpool.  
GARLAND, ROBERT DEVENISH.—Henry T. Johns, Ringwood; William Sandys, 5, Gray's-inn-square.  
HAGUE, TEMPLE LAYTON.—Henry Cowling, and Joshua J. Leeming, York.  
HARRIS, ROBERT HARE.—Thomas Davis, Gresham-buildings, Basinghall-street.  
HAYES, WILLIAM STEELE.—William Hayes, Halesowen.  
HOPE, JOHN HENRY.—James C. Scarisbrick, and Anthony John Moore, Sunderland.  
LASCELLES, EATON M.—Arthur H. Lascelles, Narberth; William G. George, Cardigan.  
LLOYD, ROBERT OWEN.—George Boydell, Chester.  
MARTIN, HENRY.—Alexander R. Hordern; Thos. F. Maddock, Chester.  
MARTIN, ROBERT.—Sheldon D. Ashley, 9, Clement's-lane.  
PROCTER, ARTHUR CRABTREE.—Charles E. Procter, Macclesfield.  
RATCLIFF, EDMUND THEODORE.—William P. Alcock, Birmingham; Charles F. Tagart, Bedford-row.  
TOLCHER, ROBERT.—Thomas White, 11, Bedford-row.  
WARNER, EDWARD LEE.—Charles T. Arnold, 20, Whitehall-place.  
WORTHINGTON, CHRISTOPHER.—John Egerton Ward, Congleton.

*Last Day of Michaelmas Term, 1869.*

ALLEN, THOMAS LEWIS.—Robert Peckham, Great Knight Rider-street; Josiah John Merriman, 28, Queen-street; Thomas Eaton and Thomas Bowker, Bedford-row and Gray's-inn-square.  
ANGEL, EDMUND GREY.—Edmund William Paul and Henry Mountrich James, Exeter.  
ARTHUR, JOSEPH BRIDGE.—James Parker and John William Wilson, Chelmsford.  
ATKEY, FREDERICK WALTER.—James Richard Upton, Austin-friars.  
BLAKE, CHARLES.—Henry John Davis, George Blakey, and William James Lloyd, Newport.  
CATHERALL, EDWARD.—Charles Gammon, 9, Cloak-lane.  
COLLINS, ALEXANDER.—Edward Kynaston Bridger, 120, Kennington-park-road.  
GREENING, JOSEPH ROBERT.—John Severn Bennett, Mark-lane, London.  
GREAVES, JOHN BROOK.—Charles Leach Coward, Rotherham.  
HARVEY, FRANK JACOB.—Briscoe Hooper, Torquay.  
LEEMING, CHARLES HENRY.—Francis Jubb, Halifax.  
LUCAS, LIONEL RICHARD, JUN.—William Allison, Louth.  
LYCETT, HENRY.—John Bageshaw, Manchester.  
LYNCH, CHRISTOPHER BERNARD.—Francis Charles New, King-street, Cheapside.  
MICKLETHWAIT, WILLIAM.—Walter Murton, Southampton-street, Bloomsbury.  
MOKON, JOHN.—Robert Manley Lowe, Tanfield-court, Temple.  
PEASE, CHARLES.—Henry Morten Cotton, Chancery-lane.  
RENDELL, WILLIAM FRANCIS.—Robert Francis, Newton Abbot, Devon.  
SADLER, AUGUSTUS CHARLES.—Robert Robson Sadler, Golden-square, Middlesex; and Frank Richardson, Piccadilly and Golden-square.

SMITH, JOHN CHRISTOPHER.—Thomas Dounie Calthrop, Whitehall-place.

SMITH, MARK PHILIP.—Arthur Weston, Brackley.

STORY, HENRY DONALD.—Henry Story and William Cheek Bousfield, Newcastle-upon-Tyne.

SWEETING, THOMAS LUTHER.—John Hawthorne Lydall, Southampton-buildings.

WALKER, EDWARD L.—Edward Walker, 8, New-square, Lincoln's-inn.

WHITEHEAD, JOSEPH.—Francis Smith, Manchester.

WILLIAMS, DAVID THEODORE, B.A.—Edward Scott and Edward Scott, Wigan.

[For former names see p. 666, ante.]

#### NOTICES OF APPLICATIONS TO BE RE-ADMITTED

*In Michaelmas Term, 1869.*

Evans, John, Wrexham.

Leigh, Alfred, Baguley, near Manchester.

#### NOTICES OF APPLICATIONS TO TAKE OUT OR RENEW ATTORNEYS' CERTIFICATES.

*26th November, 1869.*

Allen, Mundeford, Abergavenny.

Ashley, Alfred, Harvey-road, Leytonstone.

Baker, Alfred, Matlock Bath; and Blackburn.

Bell, Theodore, Surbiton.

Blunt, George Henry, Egremont; and Leicester.

Brock, Jervis, 1, Whitehall-gardens.

Cooke, James Bradley, 47, Manchester-square; and 2, Stanley-villas, Norfolk-road.

Croft, James, Ulverston.

Deakin, Bickerton Homer, Monmouth; and Tattenhall-wood.

Derry, Richard Courtenay, North Shields; and 36, St. James-square, Notting-hill.

Edwards, Edward Rasbrook, Walham-green, and 57, Usher-road, Bow.

Feuillade, Francis, Stratford; and 23 and 25, Millman-street.

Forster, Joseph, 306, Camberwell New-road.

Forward, William, 58, Albert-street, Regent's-park.

Greenwell, Walpole Eyre, 22, Dorchester-place.

Hall, Matthew Henry, 9, Alma-terrace, Hammersmith.

Harriss, Alfred Edmund, Calcutta.

Hoffman, John Wills, 3, St. Ann's-terrace, Wandsworth.

Irving, William John, Bombay.

Jones, Henry Lloyd, Bangor.

Keays, Frederick Lovell, Tottenham.

Lander, John Gilbert, 7, Bury-road, Kilburn; and Herne-hill.

Langdon, James, Ashford, near Barnstaple.

Lister, John Lupton, Walton-on-Thames.

Lomax, John, jun., Rochdale.

Lowe, Richard, 40, Shakespeare-road, Stoke Newington.

Maltby, William, Mansfield.

Marshall, Arthur Edward, Merton-road, Besborough-street; and 10, Lorraine-road.

Mitchell, William, 3, Talbot-cottages, Greenside-road.

Monckton, William Charles, 55, Liverpool-street.

Paige, Henry, Worcester: St. Germans, Cornwall.

Pearson, George, Temple Cloud.

Phelps, William Truman Harford, Norwood; and Spa.

Philpott, Harry John Vernon, 6, Air-street, Regent-street.

Plowright, Edward William, 12, Regent-street.

Porter, John Thomas, Upper Edmonton.

Roberts, William William, Bristol.

Rowe, John, 177, Hampstead-road; and Nottingham.

Shelton, Francis Talbot, Nottingham.

Taylor, William Brooke, Norwich (10th Nov.).

Thompson, Mark, jun., Sunderland.

Vaudrey, Thomas William, Congleton.

Wallis, William Talbot, 96, Crampton-street, Newington Butts.

Webb, Thomas John, Croydon; and Stourbridge.

Webber, Edwin Huish, Southampton; and Tunbridge Wells.

West, William Eekley, Bromyard, Hereford.

Wilkinson, Thomas, Birkenhead.

Mr. Frederick North, M.P. for Hastings, who died on the 29th October, was in early life admitted a student of the Inner Temple, but was not called to the bar.

## LAW STUDENTS' JOURNAL.

## LECTURES AND LAW CLASSES AT THE INCORPORATED LAW SOCIETY.

Mr. H. W. ELPHINSTONE, Lecturer and Reader on Conveyancing and the Law of Real Property, Monday, Nov. 8, class A, Tuesday, Nov. 9, class B, Wednesday, Nov. 10, class C—4.30 to 6 p.m.

Mr. FITZROY KELLY, Lecturer and Reader on Equity, Friday, Nov. 12, Lecture—6 to 7 p.m.

## COURT PAPERS.

## EXCHEQUER CHAMBER.

## SITTINGS IN ERROR.

The following days have been appointed for the argument of Errors and Appeals:—

QUEEN'S BENCH.			
Friday	Nov. 26	Monday	Nov. 29
Saturday	27		
COMMON PLEAS.			
Tuesday	Nov. 30	Wednesday	Dec. 1
EXCHEQUER.			
Thursday	Dec. 2	Friday	Dec. 3

## PUBLIC COMPANIES.

## GOVERNMENT FUNDS.

LAST QUOTATION, Nov. 5, 1869.

(From the Official List of the actual business transacted.)

3 per Cent. Consols, '93	Annuities, Apr. '85, 11 15-16
Ditto for Account, Dec. '93	Do. (Red Sea T.) Aug. 1908
3 per Cent. Reduced 91½	Ex Bills, £1000, — per Ct. 10 p m
New 3 per Cent., 91½	Ditto, £500, Do — 10 p m
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, — 10 p m
Do. 2½ per Cent., Jan. '94 76	Bank of England Stock, 4½ per
Do. 5 per Cent., Jan. '73	Ct. (last half-year) 238
Annuities, Jan. '80 —	Ditto for Account.

## INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 212	Ind. Inf. Pr., 5 p Ct., Jan. '72 10½
Ditto for Account	Ditto, 5½ per Cent., May, '79 110½
Ditto 5 per Cent., July, '80 115	Ditto Debentures, per Cent.,
Ditto for Account.	April, '64 —
Ditto 4 per Cent., Oct. '89 100½	Do. Do. 5 per Cent., Aug. '73 104
Ditto, ditto, Certificates, —	Do. Bonds, 4 per Ct., £1000 33 p m
Ditto Enforced Ppr., 4 per Cent. 92½	Ditto, ditto, under £1000. 23 p m

## RAILWAY STOCK.

Shres.	Railways.	Paid.	Closing prices
Stock	Bristol and Exeter .....	100	71½
Stock	Caledonian .....	100	80½
Stock	Glasgow and South-Western .....	100	104
Stock	Great Eastern Ordinary Stock .....	100	36½
Stock	Do., East Anglian Stock, No. 2 .....	100	7
Stock	Great Northern .....	100	103
Stock	Do., A Stock* .....	100	106
Stock	Great Southern and Western of Ireland .....	100	98
Stock	Great Western—Original .....	100	55½
Stock	Do., West Midland—Oxford .....	100	35
Stock	Do., do.—Newport .....	100	33
Stock	Lancashire and Yorkshire .....	100	124½
Stock	London, Brighton, and South Coast .....	100	42½
Stock	London, Chatham, and Dover .....	100	16½
Stock	London and North-Western .....	100	119
Stock	London and South-Western .....	100	91
Stock	Manchester, Sheffield, and Lincoln .....	100	53½
Stock	Metropolitan .....	100	83
Stock	Midland .....	100	118
Stock	Do., Birmingham and Derby .....	100	88
Stock	North British .....	100	—
Stock	North London .....	100	10
Stock	North Staffordshire .....	100	57
Stock	South Devon .....	100	42
Stock	South-Eastern .....	100	76½
Stock	Taff Vale .....	100	186

\* A receives no dividend until 6 per cent. has been paid to B.

## MONEY MARKET AND CITY INTELLIGENCE.

Early in the week the funds were steady, as also foreign securities; in railways but little was doing. The half yearly transfer day and holiday, of course, slackened everything. Afterwards the discount demand quickened sensibly, in anticipation of a rise in the Bank discount rate on Thursday. Those anticipations were justified, the rate having now been advanced from 2½, to which it was lowered on August 19th, to 3, but little alteration in the markets has been produced by the change. The funds are dull. The railway market experienced a short fall at first, but afterwards began to rally. Foreign

securities are declining. There seems on the whole no prospect that the present high prices of investments will be materially lowered for a long time to come.

Mr. JAMES STANSFELD, jun., M.P. for Halifax, and Third Lord of the Treasury, who has received the appointment of Financial Secretary of the Treasury, in the place of Mr. Ayrton, gazetted as First Commissioner of Works, is a barrister of the Inner Temple, is a son of Mr. James Stansfeld, formerly a solicitor, and now Judge of the Halifax County Court, by Emma, daughter of the Rev. John Ralph, of Halifax. He was born at Halifax in 1820, and was educated at University College, London, having graduated as Bachelor of Laws at the London University in 1844. He was called to the bar at the Inner Temple in January, 1849. In April, 1859, he was elected M.P. for Halifax, was in office as a Lord of the Admiralty in Lord Palmerston's administration from April, 1863, till April, 1864, and served as Under-Secretary of State for India for a short period in 1866, when he gave up the post in consequence of the adverse criticism evoked by his connection with Mazzini. When Mr. Gladstone's Government was formed in December, 1868, he was appointed Third Lord of the Treasury. Mr. Stansfeld married, in 1841, Caroline, daughter of Mr. William Henry Ashurst, solicitor to the Post-office.

Mr. ACTON SMEE AYRTON, M.P. for the Tower Hamlets, and Financial Secretary to the Treasury, who has been appointed First Commissioner of her Majesty's Works and Public Buildings, in succession to Mr. Layard, appointed Ambassador at Madrid, is a member of the Middle Temple, is a son of the late Mr. Frederick Ayrton, a barrister of Gray's-inn, and formerly of Bombay, by the only child of the late Lieutenant-Colonel Nugent. He was born at Kew in 1816, and was called to the bar at the Middle Temple in April, 1853; he practised for a few years on the Home Circuit and at the Sussex Sessions. Mr. Ayrton unsuccessfully contested the Tower Hamlets in 1852, but was returned to Parliament as member for that borough in April, 1857. On Mr. Gladstone's accession to power, in December of last year, Mr. Ayrton was selected to fill the post of Financial Secretary to the Treasury. In 1867 he promoted, with Mr. Tite, the Metropolitan Improvement Bill, and with Mr. O'Beirne the Pawnbroking Bill. Mr. Ayrton is one of the Royal Commissioners for inquiring into the constitution of the Law Courts.

Inquiry has been made into the accounts of Mr. Robert Shaw; stamp distributor for county Cork. He has admitted defalcations to the extent of £15,800.

It is announced that Mr. William Stockley, solicitor, of Liverpool, who about two years ago absconded from that city under very painful circumstances, has recently died at Barcelona. A short time ago (13 S. J. 1000) we had occasion to comment, from a legal point of view, upon a case of *Withington v. Tate* (17 W. R. 559), which arose out of Mr. Stockley's defalcations. The case was an extremely hard one, and the unfortunate mortgagor, who had repaid his mortgage-money to Mr. Stockley, as the solicitor through whom the advance was made, had to pay the money over again, the whole having been misappropriated by Mr. Stockley.

THE NEW ELECTION JUDGES.—Mr. Justice Mellor, Mr. Justice Byles, and Mr. Baron Bramwell have been nominated election judges for the ensuing year.

VALUE OF PROPERTY AT THE WEST END.—At Mr. Robins' sale at the Mart, on Tuesday last, a spirited competition sprung up for a long leasehold house and shop situate in Market-street, Mayfair, let at £40 per annum. The lot was put up at £250, and was ultimately sold for £1,220.

EXAMINATION OF LAW STUDENTS.—A preliminary examination of law students in general knowledge was held at the Athenæum, Temple-row, on the 27th and 28th inst., before Mr. C. T. Saunders and Mr. Thomas Martineau, the superintending local examiners, when no less than twenty-five candidates presented themselves for examination, Birmingham being the centre for a very wide district. The subjects for examination comprised English and Latin grammar, English history, geography, arithmetic, and one ancient or modern European language.—*Birmingham Daily Post*.

## ESTATE EXCHANGE REPORT.

## AT THE MART.

Nov 2.—By Messrs. DEBENHAM, TROWSON, & FARMER.

Freehold residence, known as Elm-lodge, with pleasure grounds, garden, conservatory, &c., containing 1a 13p—sold £3,300.

Freehold, six acres of marsh land, situate near the White Hart Inn, Temple-mills—sold £300.

By Mr. Rowms.

Leasehold residence, with stabling, No. 12a, Alpha-road, Regent's-park, annual value, £130; term, 36 years unexpired, at £12 per annum—sold £870.

Leasehold house and shop, No. 79, Regent's-park-road, let on lease at £35 per annum; term, 95 years unexpired, at £7 13s. 4d. per annum—sold £550.

Freehold house and shop, No. 1, Wardley-street, South-street, Wandsworth—sold £300.

By Messrs. Bromley, Kelday, & Seward.

Leasehold residence, and three acres of land, known as Phenix Mills, Lower Edmonton; term, 40 years from 1863, at £55 per annum—sold £210.

Leasehold improved rental of £20 per annum, for 54 years, secured on No. 91, Star-street, Paddington—sold £270.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

LUSHINGTON—On Oct. 28, at 40, Norfolk-square, Hyde-park, the wife of Franklin Lushington, Esq., of the Inner Temple, of a daughter.

MOTE—On Oct. 31, at Dulwich, the wife of Mr. R. Crofts Mote, Solicitor, of a son.

SCOTT—On Oct. 29, at Hornsey, the wife of John Scott, Esq., Barrister-at-law, of a son.

SMITH—On Oct. 30, the wife of Stuart Le Blanc Smith, Solicitor, of Burton-road, Derby, prematurely, of a daughter.

SWARBRECK—On Oct. 25, at Sowerby, near Thirsk, the wife of Charles McC. Swarbreck, Esq., Solicitor, of a daughter.

WELLS—On Nov. 3, at Carmarthen, the wife of C. H. Wells, Esq., Tenby, of a daughter.

WILSON—On Nov. 2, at 18, St. George's-square, Regent's-park, the wife of Arthur Wilson, Esq., Barrister-at-law, of the Inner Temple, of a son.

WILKINSON—On Oct. 23, at Guildford, Surrey, the wife of Robert Wilkin-son, Esq., Barrister-at-law, of a daughter.

WRIGHT—On Nov. 1, at Amptihl, Beds, the wife of J. Wright, Esq., Solicitor, of a daughter.

### MARRIAGES.

NESS—ROLT—On Oct. 28, at Oxlworth Church, William Edward, late Capt. 61st Regt., only son of the Rev. E. Ness, rector of Elkstone, to Emily Bosworth, youngest daughter of the Right Hon. Sir John Rolt.

SQUARE—ABBOTT—On Oct. 30, at the parish church of Stoke Damerel, Devon, Eliott Square, Solicitor, of Plymouth, to Caroline Sophia Martin Abbott, daughter of the late Edward Abbott, Esq., J.P., of Warwick Park, St. Budeaux, Devon.

### DEATHS.

HOOLE—On Nov. 2, at Scarborough, in the 69th year of his age, Francis Hoole, Solicitor, of Moor Lodge, Sheffield.

MONCREIFF—On Oct. 29, at Prestonfield House, near Edinburgh, Susan Wilhelmine, the beloved wife of Henry James Moncreiff, A.D.vocate.

PACKWOOD—On Oct. 29, George Packwood, Solicitor, Denmark-row, Coldharbour-lane, Camberwell, and 27, Nicholas-lane, London, aged 47.

BREAKFAST.—EPPS'S COCOA.—GRATEFUL AND COMFORTING.—The very agreeable character of this preparation has rendered it a general favourite. The "Civil Service Gazette" remarks:—"By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the fine properties of well-selected cocoa, Mr. Epps has provided our breakfast tables with a delicately flavoured beverage which may save us many heavy doctors' bills." Made simply with boiling water or milk. Sold only in tin-lined packets, labelled—JAMES EPPS & Co., Homoeopathic Chemists, London.—[ADVT.]

## LONDON GAZETTES.

### Winding up of Joint-Stock Companies.

FRIDAY, Oct. 29, 1869.

LIMITED IN CHANCERY. \*

Greening and Company (Limited).—Vice-Chancellor James has, by an order dated Oct. 26, appointed Frederick William Dawson, Brasenose-st, Manch, and Charles M. Merchant, Savings' Bank-bldgs, Bury, to be liquidators.

STANNARIES OF CORNWALL.

South Trevena Tin and Copper Mining Company (Limited).—Petition for winding up, presented Oct. 15, directed to be heard before the Vice-Warden, at the Prince's Hall, Truro, on Nov. 11 at 11. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the Registrar's office, Truro, on or before Nov. 8, and notice thereof must at the same time be given to the petitioner, his solicitor, or agent. Boys-Towler, Plymouth, solicitor for the petitioner, Chilcott, Truro, agent.

TUESDAY, Nov. 2, 1869.

LIMITED IN CHANCERY.

Fenton Park Iron and Coal Company (Limited).—Petition for winding up, presented Oct. 29, directed to be heard before Vice-Chancellor James on Nov. 13. Sharp, Uresham-house, Old Broad-st, for Rowley & Co, Manch, solicitors for the petitioner.

North Wales Slate Supply Company (Limited).—Petition for winding up, presented Oct. 19, directed to be heard before Vice-Chancellor James on Nov. 13. Tyrell, Gray's-inn-sq, solicitor for the petitioner. Phosphate of Lime Company (Limited).—Petition for winding up, presented Oct. 27, directed to be heard before Vice-Chancellor Malins on Nov. 13. Mercer & Mercer, Mining-lane, solicitors for the petitioners.

Wynn Hall Coal Company (Limited).—Petition for winding up, presented Nov. 1, directed to be heard before Vice-Chancellor Malins on Nov. 12. Kaimondii, Houghton-st, for James, Wrexham, solicitor for the company.

## Friendly Societies Dissolved.

FRIDAY, Oct. 29, 1869.

Good Samaritan Society, Ship and Castle Inn, Pensance. Oct. 25.  
Magnetic Telegraph Friendly Society, Royal Exchange, Manch. Oct. 23.  
Tring Social Benefit Society, National Schools, Tring, Hertford. Oct. 26.

## Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Oct. 29, 1869.

Ashford, Hannah, Saxted, Suffolk, Spinster. Dec. 1. Clubbe, Framlingham.

Banks, Jas Stansfield, Idle, York, Joiner. Dec. 1. Watson & Dickons, Bradford.

Banks, John, Idle, York, Clothier. Dec. 1. Watson & Dickons, Bradford.

Brissenden, Dive, Woodchurch, Kent, Beer Retailer. Dec. 1. Munn & Mace, Tenetorden.

Byers, Alfred, Brompton, Clerk. Dec. 10. Sole & Gill, Devonport.

Boers, Howard Jacobson, Haslar Hospital, Southampton, Assistant Paymaster. Dec. 10. Sole & Gill, Devonport.

Clarke, Robt, H. M. Colonial Medical Service. March 25. Turner, Gresham-st.

Grauge, Wm, Wotton, Chester, Farmer. Dec. 10. Green, Northwich.

Hedges, John, Albion-rd, Hammersmith, Gent. Dec. 29. Carlisle & Ordell, New-sq, Lincoln's-inn.

Hepburn, Geo, Marylebone-rd, Coach Builder. Nov. 30. Kearsley, Old Jewry.

London, Jas Geo, Golden-lane, Clog Maker. Dec. 31. Howard & Gillespie, Amel-cl, Tazeworth-st.

Marks, Israel, The Grove, Backbeath, Iron Merchant. Dec. 31. Spyer, Winchester House, Old Broad-st.

Milroy, Jas, Ardwick, Manch, Travelling Draper. Nov. 10. Sale & Co, Manch.

Ord, John, Upper Clapton, Esq. Dec. 25. Sutton & Ommamney, Coleman-st.

Pipe, Jas, Saxted, Suffolk, Farmer. Dec. 21. Clubbe, Framlingham.

Reading, Edwd, Chesham, Buckingham, Dealer in Straw Plait. Dec. 6. Francis & How, Chesham.

Smith, John, Chigwell, Essex, Coal Merchant. Dec. 10. Beaumont & Co, Lincoln's-inn-fields.

Tettrell, John, Berechurch, Essex, Farmer. Dec. 21. Howard & Co, Colchester.

Umbers, Saml, Wappenbury, Warwick, Gent. Nov. 27. Moore & Co, Warwick.

Warren, Thos Abbotts, Princes Risborough, Buckingham, Surgeon. Nov. 6. Parrott, Aylesbury.

Watson, Wm Hy, Waiworth-rd. Jan. 1. Watson & Sons, Bouverie-st, Fleet-st.

TUESDAY, Nov. 2, 1869.

Baggaley, Thos, & Mary Baggaley, Kingston-upon-Hull, Fishmongers. Nov. 12. Atkinson, Hull.

Bicknell, Mark, South Darenth, Kent, Grocer. Nov. 25. Russell & Co, Dartford.

Bingham, Mary, Bristol, Widow. Dec. 31. Fussell & Pritchard, Bristol.

Bridges, Rev Brook Edwd, Haynes, Bedford. Dec. 1. Bridges & Co, Red Lion-sq.

Cooke, Sarah Selina, Gloucester-st, Belgrave-rd, Widow. Feb. 1. Satchell & Chapple, Queen-st, Chapside.

Dawson, Mary Ann, Hanover-sq, Widows. Dec. 1. Holcroft & Knockner, Sevenoaks.

Gaitkell, Rev John, Church-st, Kensington. Dec. 29. Barnes & Bernard, 61 Winchester-st.

Hall, Hannah, Church-rd, Upper Norwood, Widow. Jan. 1. Jaquet, Serjeant's-inn, Temple.

Harris, Thos Phillips, New-st-sq, Shoe-lane, Gent. Jan. 1. Knox, Bloomsbury-sq.

McAlester, Lieut-Col. Chas Archibald, Axminster, Devon. Dec. 9. Beetham, Uplyme.

Proud, John, Croglin, Cumberland. Dec. 31. Scott, Penrith.

Rutter, Wm Smalley, Broughton, nr Manch, Gent. Dec. 6. Price, Manch.

Ward, John, Stockton-upon-the-Forest, York, Gent. Dec. 28. Wood, York.

Wilde, Fras, Parthenon-chambers, Regent-st, Gent. Jan. 1. Smith, New-sq, Lincoln's-inn.

## Credits registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Oct. 29, 1869.

Abrahams, Lewis, West Strand, Silversmith. Sept. 23. Comp. Reg. Oct. 27.

Crouner, Saml, Hackney-rd, Leather Seller. Oct. 23. Comp. Reg. Oct. 28.

Daniel, Geo Mark, Porthcawl, Glamorgan, Ironmonger. Sept. 29. Asst. Reg. Oct. 27.

Dingley, Thos, & Wm Gosling Reader, Birm, Die Sinkers. Sept. 28. Asst. Reg. Oct. 23.

Draper, John, Northampton, Carrier. Oct. 26. Comp. Reg. Oct. 26.

Eise, Fredk Edwd, Westbourne-grove, Wine Merchant. Oct. 14. Comp. Reg. Oct. 29.

Fenton, Wm, Mark Ward, Benj Sagden, David Butterworth Scholefield, Bristol, & Martin Eastwood, Bradford, York, Worsted Spinners. Sept. 14. Asst. Reg. Oct. 27.

Firth, Joseph, Cressland Moor Bottom, York, Merchant. Sept. 27. Asst. Reg. Oct. 27.

Froud, Benj, Amelia-villas, Nottingham-rd, Wandsworth Common. Builder. Oct. 14. Comp. Reg. Oct. 28.

Gledhill, Wm, Hunslet, Leeds, Grocer. Sept. 29. Asst. Reg. Oct. 27.

Godfrey, Chas Edwin, Upton, Essex, Gent. Oct. 4. Comp. Reg. Oct. 29.

Gompertz, Solomon Barend, Bernard-st, Russell-sq, Diamond Merchant. Oct. 5. Comp. Reg. Oct. 27.

Hammond, John, Sheffield, Coal Dealer. Oct. 5. Asst. Reg. Oct. 26.

Hatton, Peter Valentine, Nottingham, Wine Merchant. Oct. 5. Comp. Reg. Oct. 28.



Hughes, Dani, Joseph Hughes, & Jas Hughes, Churley, Derby, Paper Manufacturers. Sept 14. Asst. Reg Oct 29.  
 Jeffs, Wm Brookes, Birm, Boot Manufacturer. Oct 21. Asst. Reg Oct 29.  
 Jones, John David, Denbigh, Grocer. Oct 1. Comp. Reg Oct 27.  
 Lambert, Edwin, Leeds, Boot Dealer. Oct 19. Comp. Reg Oct 26.  
 Lord, John Chapman, Sunderland, Durham, Publican. Sept 30. Comp. Reg Oct 27.  
 Macfarlan, John Grey, Fenchurch-st, Merchant. Oct 20. Comp. Reg Oct 28.  
 Miles, Wm, Aberdare, Glamorgan, Grocer. Oct 5. Comp. Reg Oct 28.  
 Nash, Saml, Cardiff, Glamorgan, Merchant, Shipowner. Oct 19. Asst. Reg Oct 28.  
 Nichols, Saml Augustus, Blackburn, Lancashire, Cotton Manufacturer. Sept 24. Asst. Reg Oct 27.  
 Pyne, Robt Wm, Exeter, Brush Manufacturer. Oct 18. Comp. Reg Oct 28.  
 Robinson, Hy Blackpool, Lancashire, General Dealer. Sept 30. Asst. Reg Oct 28.  
 Sevier, Joseph, Portishead, Somerset, Innkeeper. Oct 4. Asst. Reg Oct 29.  
 Shaw, Matthew Wm, Barbican, Cheesemonger. Oct 27. Comp. Reg Oct 28.  
 Simon, Hy Bagram, Johnson's-pl, Harrow-rd, Grocer. Oct 21. Comp. Reg Oct 28.  
 Simpson, Edwd, Birm, Gilt Jewellery Manufacturer. Oct 18. Comp. Reg Oct 28.  
 Stocks, Alfd, Halifax, York, Chemist. Sept 29. Asst. Reg Oct 27.  
 Wadsworth, Walter, Huddersfield, York, Dyer. Sept 28. Asst. Reg Oct 28.  
 Wainman, Wm, Blackpool, Lancashire, Grocer. Oct 1. Comp. Reg Oct 28.  
 Wakefield, Hy Matthew, Cheltenham, Gloucester, Cabinet Maker. Sept 30. Comp. Reg Oct 27.  
 Walters, Joseph, Brick-lane, Spitalfields, Tavern Keeper. Sept 29. Comp. Reg Oct 27.  
 Wells, Matthew, Manch, Oil Merchant. Sept 2. Comp. Reg Oct 26.  
 White, Anthony Edmund Dyer, Princes-st, Leicester-sq, Furniture Dealer. Oct 23. Comp. Reg Oct 29.  
 Wright, Chas, Nottingham, Builder. Sept 29. Asst. Reg Oct 27.

TUESDAY, Nov. 2, 1869.

Anson, Fredk, Accrington, Lancashire, Saddler. Oct 13. Comp. Reg Nov 2.  
 Baker, John, Worthing, Sussex, Grocer. Oct 13. Comp. Reg Nov 1.  
 Bamberger, Fras Louis, Aldenham-ter, St Pancras-rd, Coal Merchant. Oct 13. Comp. Reg Nov 1.  
 Barratt, Joseph, & Wm Hurst, Oldham, Lancashire, Cotton Waste Dealer. Oct 27. Comp. Reg Nov 1.  
 Best, Richd, Mytholmroyd, York, Draper. Oct 9. Asst. Reg Nov 1.  
 Burr, Wm, King Edward-st, Leather Merchant. Sept 20. Comp. Reg Oct 30.  
 Campbell, Fredk Pelew Wilson, Lpool, Licensed Victualler. Oct 4. Comp. Reg Oct 30.  
 Cheshire, Fredk Wm, Lpool, Merchant. Oct 14. Comp. Reg Nov 1.  
 Coop, Robt, Oldham, Lancaster, Waste Dealer. Oct 14. Asst. Reg Nov 1.  
 Cowling, Parkin, Sheffield, Potato Merchant. Oct 11. Asst. Reg Oct 29.  
 Currie, Matthew, Amber-villas, Twickenham, Draper. Oct 15. Asst. Reg Oct 29.  
 Deacon, John, Leicester, Manufacturer. Oct 5. Comp. Reg Nov 1.  
 Denton, Ellen Eliza, Attercliffe, Sheffield, Eating-house Keeper. Sept 30. Asst. Reg Oct 30.  
 Evans, Wm, Tredegar, Monmouth, Chemist. Oct 2. Asst. Reg Oct 30.  
 Forster, Hy, Eastcheap, Printer. Oct 11. Comp. Reg Oct 29.  
 Gorton, Geo, Birm, Fender Manufacturer. Oct 25. Comp. Reg Nov 1.  
 Grigg, Geo Chas, Chatham, Kent, Baker. Oct 29. Comp. Reg Nov 1.  
 Hartley, Simon, Rochdale, Lancashire, Beerseller. Oct 26. Asst. Reg Nov 2.  
 Harvey, Wm, Manch, Ornamental Printer. Oct 16. Comp. Reg Nov 2.  
 Heap, John Thos, Manch, Drysalter. Oct 5. Comp. Reg Nov 2.  
 Jones, Rachael, & Thos Bowen Jones, Llandoverly, Carmarthen, Drapers. Sept 23. Asst. Reg Oct 29.  
 Kay, Thos Young, Lpool, General Agent. Oct 22. Comp. Reg Nov 1.  
 Lee, Jas, & John Ballantyne, Barnsley, York, Linen Manufacturers. Sept 14. Asst. Reg Oct 29.  
 Lockhart, John, Wigan, Lancashire, Draper. Oct 15. Asst. Reg Oct 29.  
 MacDonald, Jas Miller, Newcastle-upon-Tyne, Clothier's Assistant. Oct 29. Comp. Reg Nov 1.  
 Mawdsley, John, Fir Trees, nr Bacup, Lancashire, Manufacturer. Sept 25. Asst. Reg Oct 30.  
 McAiske, Joseph, Portsea, Hants. Draper. Oct 14. Asst. Reg Oct 30.  
 Morgan, Wm Thos, Stockwell-st, Greenwich, Photographic Artist. Oct 28. Comp. Reg Nov 1.  
 Okey, Thos, Bristol, Accountant. Oct 28. Comp. Reg Oct 30.  
 Pollard, John, Bradford, York, Boot Maker. Oct 20. Comp. Reg Nov 1.  
 Rawlinson, Edwd, Eastborough, Scarborough, York, Fish Merchant. Oct 5. Asst. Reg Nov 1.  
 Reed, Alex, & Benj J-sup Candler, Lpool, Biscuit Manufacturers. Oct 21. Comp. Reg Nov 2.  
 Roberts, Thos, Lpool, Watchmaker. Oct 7. Asst. Reg Oct 30.  
 Rothenheim, Sigmund, Euston-rd, Agent. Oct 21. Comp. Reg Oct 30.  
 Seabrook, Hy, Peckham-rye, Grocer. Sept 30. Comp. Reg Oct 30.  
 Shay, Wm, Stoke-upon-Trent, Stafford, Draper. Oct 4. Asst. Reg Nov 1.  
 Shepherd, Jas, & Wm Riley, Leeds, York, Builders. Sept 22. Asst. Reg Nov 2.  
 Smith, Hy, Bristol, Draper. Sept 29. Asst. Reg Oct 30.  
 Strachan, Archibald, Albany-st, Regent's-park, Butcher. Oct 14. Comp. Reg Oct 30.  
 Suckling, Joseph, Birm, Paper Dealer. Oct 18. Comp. Reg Oct 29.

Trueman, Mark, Woodley, Cheshire, Shopkeeper. Oct 14. Asst. Reg Nov 1.  
 Underwood, Alfred, Eccleston-st, Fimlico, Picture Dealer. Sept 23. Comp. Reg Nov 1.  
 Usherwood, Robt Theodore, Lpool, Draper. Oct 9. Asst. Reg Nov 2.  
 Vinesberg, Hugo, Stoke Newington-green, Mineral Water Manufacturer. Oct 23. Comp. Reg Oct 30.  
 Woolman, John, & Alfred Woolman, Leicester, Boot Manufacturer. Oct 6. Asst. Reg Oct 29.

**BANKRUPTS.**

FRIDAY, Oct. 29, 1869.  
 To Surrender in London.

Ashe, Waller, Prisoner for Debt, London. Pet Oct 26 (for pau). Murray. Nov 15 at 11. Watson, Basinghall-st.  
 Andrews, Chas Matthew, Museum-st, New Oxford-st, Assistant to an Egg Merchant. Pet Oct 27. Murray. Nov 17 at 1. Bartlett, Chandos-st, Strand.  
 Bacon, Edwd, Thomas-st, Kennington, Egg Merchant. Pet Oct 22. Murray. Nov 10 at 2. Burr, Guildhall-chambers.  
 Ball, Geo, Gt Dover-st, Borough, Grocer. Pet Oct 27. Murray. Nov 17 at 1. Steadman, London-wall.  
 Boulton, Thos Alfred, New North-rd, Hoxton, no occupation. Pet Oct 26. Murray. Nov 15 at 2. Lewis & Lewis, Ely-pl, Holborn.  
 Bridgman, Alfred, Newton-st, Bridport-pl, Hoxton, Box Maker. Pet 26. Murray. Nov 10 at 2. Popham, Vincent-sq, Islington.  
 Brown, Anthony, Shortlands, Bromley, Kent, Licensed Victualler. Pet Oct 26. Murray. Nov 17 at 12. Purkis & Berry, Lincoln's-inn-fields.  
 Browning, Edwin Peter, Poppings-farm, Kent, Farmer. Pet Oct 26. Murray. Nov 10 at 11. Sole & Co, Aldermanbury.  
 Bullock, Jas, Richmond, Surrey, Grocer. Pet Oct 25. Murray. Nov 10 at 2. Hooper, Clifford's-inn, Fleet-st.  
 Carter, Thos, Salisbury-st, New North-rd, Marble Mason. Pet Oct 25. Murray. Nov 15 at 1. Godfrey, Hatton-garden.  
 Cheshire, Wm, Dunstable, Bedford, Builder. Pet Oct 27. Murray. Nov 15 at 1. Hare, Mitre-st, Temple.  
 Corri, Eugene, King's-rd, Chelsea, Vocalist. Pet Oct 27. Murray. Nov 17 at 1. Kynaston & Gasquet, King's Arms-yard, Moorgate-st.  
 Davies, Thos, Elizabeth-st, Eaton-sq, Greengrocer. Pet Oct 25. Murray. Nov 15 at 1. Godfrey, Hatton-garden.  
 De Pury, Hy Albert, Old Arches, Joiner-st, Tooley-st, Comm Agent. Pet Oct 26. Murray. Nov 10 at 1. Foverley, Gresham-bldgs, Guildhall.  
 Dover, John, Oxford, Builder. Pet Oct 28. Murray. Nov 8 at 12. Poole, Bartholomew-close.  
 Draysey, Manrice, Mallinson-rd, Wandsworth-common, Builder. Pet Oct 25. Murray. Nov 15 at 1. Reid & Turner, Gresham-st.  
 Fuller, Hy, Prisoner for Debt, Winchester. Adj Oct 19. Roche. Nov 15 at 12.  
 Gilbert, Hy, High-st, Notting-hill, Timber Merchant. Pet Oct 25. Murray. Nov 8 at 11. Shiers, New-inn, Strand.  
 Gotobed, Wm, Rainham Ferry, Essex, Watchman. Pet Oct 25. Murray. Nov 17 at 11. Layton, Jan, Navarino-chango, Bow-rd.  
 Grainger, Thos White, Caves-ter, New-rd, Hammersmith, out of business. Pet Oct 25. Murray. Nov 15 at 2. Parkes, Beaufort-bldgs, Strand.  
 Gurr, Alfred, Prisoner for Debt, London. Pet Oct 26 (for pau). Murray. Nov 15 at 2. Watson, Basinghall-st.  
 Haward, Saml Robt, Princes-row, Fimlico, Butcher. Pet Oct 25. Murray. Nov 15 at 1. Kent, Cannon-st.  
 Heath, Wm, Buckhurst-hill, Essex, Builder. Pet Oct 25. Murray. Nov 10 at 2. Noon & Davies, Bloomfield-st, New Broad-st.  
 Hewson, Arthur Morris, Percy-rd, Shepherd's-bush, Laundryman. Pet Oct 26. Murray. Nov 17 at 11. Cordwell, College-hill, Cannon-st.  
 Hockley, Geo, Charles-st, Ealing, Baker. Pet Oct 23. Murray. Nov 10 at 1. Keighley, Basinghall-st.  
 Houghton, Chas Jonathan, Prisoner for Debt, London. Pet Oct 23 (for pau). Murray. Nov 15 at 12. Morris, Grocers' Hall-st, Poultry.  
 Kinniment, John, Finsbury-circus, Corn Merchant. Pet Oct 21. Murray. Nov 17 at 12. Smith, Winchester-bldgs, Old Broad-st.  
 Lacey, Chas Jas, Blomfield-pl, Westbourne-sq, Bedding Manufacturer. Pet Oct 27. Murray. Nov 17 at 2. Greenwood, Gt James-st, Bedford-row.  
 Metcalfe, Christopher Hy, Prisoner for Debt, London. Pet Oct 25 (for pau). Murray. Nov 17 at 11. Weatherhead, Colman-st.  
 Pemberton, John Callin, Gt Western-ter, Bayswater, Attorney's Clerk. Pet Oct 27. Murray. Nov 17 at 1. Lewis, Wellington-st, Strand.  
 Pettigrew, Mary Frances Anne, Castle-ter, Hounslow, no occupation. Pet Oct 25. Murray. Nov 17 at 11. Roberts, Moorgate-st.  
 Reeves, Jas Hy, Hurstway-st, Notting-hill, Carpenter. Pet Oct 27. Murray. Nov 17 at 1. Vining & Son, Moorgate-st.  
 Richardson, Hy, Prisoner for Debt, London. Pet Oct 26 (for pau). Murray. Nov 17 at 12. Laurence, Lincoln's-inn-fields.  
 Roffey, Manlius Wm, Portland-st, Walworth, Baker. Pet Oct 27. Murray. Nov 17 at 12. Wyatt, Arthur-st, West, London-bridge.  
 Rohrs, Wm (otherwise Lewis), Prisoner for Debt, London. Adj Oct 18. Pepps. Nov 11 at 11.  
 Ryman, Wm, Staple Aston, Oxford, General Shop Keeper. Pet Oct 27. Murray. Nov 17 at 1. Cooke, Gresham-bldgs, Guildhall.  
 Schultz, Daniel, Oakley-rd, Islington, Comm Agent. Pet Oct 26. Murray. Nov 10 at 2. Murray, Gt St Helena.  
 Smith, Geo Upson, Southminster, Essex, Harness Maker. Pet Oct 25. Murray. Nov 15 at 1. Marshall, Lincoln's-inn-fields.  
 Smith, Hy, Prisoner for Debt, London. Pet Oct 26 (for pau). Murray. Nov 15 at 2. Watson, Basinghall-st.  
 Seneby, Wm, Twickenham, Carpenter. Pet Oct 27. Murray. Nov 17 at 12. Lewis & Co, Old Jewry.  
 Testa, Paul Pierre Ange Halarion, Prisoner for Debt, London. Pet Oct 23 (for pau). Pepps. Nov 11 at 11. Cooke, Gresham-bldgs, Basinghall-st.  
 Townsend, Geo Fredk, Prisoner for Debt, London. Adj Oct 18. Pepps. Nov 11 at 11.  
 Westbrook, Wm, Haine-ter, Kilburn, Grocer. Pet Oct 26. Murray. Nov 17 at 12. Pearce, Giltspur-st.  
 Wiggs, Chas William, Waltham Abbey, Essex, Builder. Pet Oct 25. Murray. Nov 10 at 2. Thompson & Debenham, Salters-hall, St Swithin's-lane, for Allsup, Waltham Abbey.

## To Surrender in the Country.

Alexander, Lawrence Alex, Birm, Jeweller. Pet Oct 26. Tudor. Birm, Nov 9 at 12. Rowlands, Birm.

Bladder, Wm, Birm, out of business. Pet Oct 25. Gaest. Birm, Nov 19 at 10. Robinson, Birm.

Brown, John, Leeds, Carrier. Pet Oct 26. Marshall. Leeds, Nov 11 at 12. Granger & Son, Leeds.

Burchell, Benedict Barnabas, St Helen's, Lancashire, Publican. Pet Oct 25. Lpool, Nov 13 at 12. Haddock, St Helen's.

Burrows, Joseph, Warrington, Lancashire, Blacksmith. Pet Oct 25. Nicholson. Warrington, Nov 18 at 11. Bretherton, Warrington.

Byers, David, Silloth, Cumberland, Boot Maker. Pet Oct 26. Hodgson. Wigton, Nov 9 at 12. Wannop, Carlisle.

Carriek, Jas Anderson, Prisoner for Debt, Lewes. Pet Oct 26 (for pau). Blaker. Lewes, Nov 12 at 12.

Chadwick, Richd, Leeds, Builder. Pet Oct 20. Marshall. Leeds, Nov 11 at 12. Markland & Davy, Leeds.

Champ, Chas, Redlynch, Wilts, Timber Dealer. Pet Oct 26. Wilson. Salisbury, Nov 13 at 12. Hadding, Salisbury.

Cleall, Hugh, Leominster, Hereford, Attorney's Clerk. Pet Oct 25. Robinson. Leominster, Nov 10 at 10. Moore, Leominster.

Clegg, Jas, Hulme, Lancashire, Timber Dealer. Pet Oct 25. Hulton. Salford, Nov 13 at 9.30. Mann, Manch.

Coates, Ann, Hunslet, nr Leeds, Provision Dealer. Pet Oct 20. Marshall. Leeds, Nov 11 at 12. Rooke, Leeds.

Colville, Hy Algernon, Lpool, Brewer. Pet Oct 27. Lpool, Nov 10 at 11. Tyler, Lpool.

Dyer, Robt, Prisoner for Debt, Cambridge. Adj Oct 20 (for pau). Palmer. Norwich, Nov 10 at 11.

Dyson, Jas, Burnley, Lancashire, Hosiery Dealer. Pet Oct 26. Fardell. Manch, Nov 17 at 12. Baldwin, Burnley; Sale & Co, Manch.

Evans, Evan, Gaerwen, Merioneth, Farmer. Pet Oct 23. Evans. Corwen, Nov 5 at 12. Adams, Ruthin.

France, Wm, Amberswood-common, Lancashire, Colliery Labourer. Pet Oct 26. Part. Wigan, Nov 18 at 11. Hawett, Wigan.

Francis, Geo, Brierley, Warrington, Brushmaker. Pet Oct 22. Harley. Bristol, Nov 12 at 12. Pigeon.

Gambler, Wm, Snitterby, Lincoln, Butcher. Pet Oct 23. Rhodes. Market Hasen, Nov 10 at 11. Harri-on, Lincoln.

Garrould, Wm, Ditchingham, Norfolk, Baker. Pet Oct 25. Fiske. Beccles, Nov 9 at 10. Kent, Beccles.

Gaskell, John, Worsley Mesnes, Pemberton, Lancashire, Engineer. Pet Oct 21. Part. Wigan, Nov 11 at 11. Lees, Wigan.

Gladwin, Hy, Leeds, Mechanic. Pet Oct 26. Marshall. Leeds, Nov 11 at 12. Eusley, Leeds.

Greig, David Graham, Bishopwearmouth, Durham, Tailor. Pet Oct 27. Ellis. Sunderland, Nov 14 at 11. Bentham, Sunderland.

Hamlet, Elijah, Whithall, Stafford, Padlock Manufacturer. Pet Oct 25. Brown. Wolverhampton, Nov 8 at 12. Brevitt, Darlaston.

Hammond, Joseph, Welbourn, Lincoln, Placelayer. Pet Oct 25. Peake. \*Sleaford, Nov 8 at 2. Rex, Lincoln.

Harrod, Wm, Sheffield, Pork Butcher. Pet Oct 26. Wake. Sheffield, Nov 11 at 1. Sugg, Sheffield.

Haycraft, Fredk Taylor, Prisoner for Debt, Lancaster. Adj Oct 14. Macrae. Manch, Nov 12 at 11.

Hayden, Joseph, Upper Mill-st, Somerset, Market Gardener. Pet Oct 21. Smith. Bath, Nov 10 at 11. Wilton, Bath.

Haworth, Geo, Bangor, Carnarvon, Inkeeper. Pet Oct 26. Jones. Bangor, Nov 9 at 11. Foukes, Bangor.

Heale, Thos, Bedminster, Bristol, Milkman. Pet Oct 26. Harley. Bristol, Nov 12 at 12. Stevens.

Henderson, John, Wotton-pk, Darham, Boot Maker. Pet Oct 25. Trotter. Bishop Auckland, Nov 9 at 3. Hutchinson, Bishop Auckland.

Hodge, John Barlow, Ecclesfield, York, Grocer. Pet Oct 11. Leeds, Nov 17 at 12. Mallor, Sheffield.

Hodges, Jas, Burnham, Somerset, Licensed Victualler. Pet Oct 15. Wilde. Bristol, Nov 8 at 11. Press & Inskip, Bristol.

Hodgkinson, Jas, Chesterfield, Derby, Dealer in Toys. Pet Oct 26. Wake. Chesterfield, Nov 9 at 11. Gee, Chesterfield.

Holehouse, Geo, Lpool, Horse Dealer. Pet Oct 25. Hime. Lpool, Nov 11 at 2. Lumb, Lpool.

Holdsworth, Wm, Halifax, York, Overlooker. Pet Oct 25. Rankin. Halifax, Nov 19 at 10. Storey, Halifax.

Hollis, Fredk, Derby, Grocer. Pet Oct 19. Wellar. Derby, Nov 10 at 12. Briggs, Derby.

Holmes, John, Prisoner for Debt, Lewes. Pet Oct 26 (for pau). Blaker. Lewes, Nov 12 at 12.

Horsell, Hy, Bath, Somerset, Auctioneer. Pet Oct 27. Smith. Bath, Nov 17 at 11. Simmons & Clark, Bath.

Hurst, Wm, Alford, Lincoln, Boot Maker. Pet Oct 25. Leeds, Nov 10 at 12. Walker, Alford.

Jewitt, Jas, Barton-upon-Irwell, Lancashire, Engineer. Pet Oct 25. Hulton. Salford, Nov 13 at 9.30. Gardner, Manch.

Johnston, Geo, Alkton, Cuxsberland, Farmer. Pet Oct 26. Hodgson. Wigton, Nov 9 at 12. Wannop, Carlisle.

Jones, Evan Evans, Mochdre, Denbigh, Draper. Pet Oct 25. Hughes. Conway, Nov 11 at 12. Jones, Conway.

Jones, Richd, Carnarvon, Plumber. Pet Oct 26. Lpool, Nov 11 at 12. Evans & Lockett, Lpool.

Kirby, Geo, Sheffield, York, Pianoforte Dealer. Pet Oct 18. Leeds, Nov 17 at 12. Birt & Son, Sheffield.

Knight, Edwd, Bloon, Nottingham, Comm Agent. Pet Oct 26. Tudor. Birm, Nov 9 at 11. Enfield & Down, Nottingham.

Lomas, Joel, Disley, Cheshire, Candlewick Manufacturer. Pet Oct 27. Macrae. Manch, Nov 12 at 11. Johnson, Manch.

Lora, Jas, Saddleworth, York, Cotton Waste Dealer. Pet Oct 23. Roberts. Saddleworth, Nov 10 at 12. Bent, Manch.

Makinson, John, Manch, Merchant. Pet Oct 25. Fardell. Manch, Nov 9 at 11. Richardson, Manch.

Manifold, Mary, Prisoner for Debt, Manch. Adj Oct 18. Hulton. Salford, Nov 13 at 9.30.

Manland, Thos, Manch, Coal Merchant. Pet Oct 26. Fardell. Manch, Nov 17 at 11. Wheeler & Cobbett, Lpool.

Mason, Lewis, & John Lewis Mason, Lpool, Grocers. Pet Oct 25. Lpool, Nov 9 at 11. Evans & Lockett, Lpool.

Melbourne, Newell Cecil, Lincoln, out of Employment. Pet Oct 23. Uppeby. Lincoln, Nov 9 at 12. Williams, Lincoln.

Moon, Steven, Prisoner for Debt, Lewes. Adj Oct 20. Alleyn. Tonbridge Wells, Nov 15 at 3. Cripps, Tonbridge Wells.

Musk, John, Stanningfield, Suffolk, Shoemaker. Pet Oct 27. Collins. Bury St Edmunds, Nov 11 at 10. Walpole, Buryton.

Normanton, John, Prisoner for Debt, York. Adj Oct 16. Leeds, Nov 8 at 11.

Pepper, Melthorpe, Sheffield, Journeyman Carpenter. Pet Oct 26. Fox. Thorne, Nov 17 at 1. Woodhead, Doncaster.

Pitkin, Joseph, Hawridge, Buckingham. Pet Oct 19 (for pau). Francis. Chessham, Nov 8 at 10. Cheese, Amersham.

Pope, Chas, Prisoner for Debt, Monmouth. Adj July 13. Roberts. Newport, Nov 9 at 1. Graham, Newport.

Reary, Thos, Cookey, Worcester, Licensed Victualler. Pet Oct 26. Tudor. Birm, Nov 12 at 12. Saender, jun, Kidderminster; James & Griffin, Birm.

Richards, David, Treherbert, Glamorgan, Butcher. Pet Oct 25. Spickett. Pontypridd, Nov 10 at 12. Rosser, Aberdare.

Roberts, Owen, Talsarnan, Merioneth, Joiner. Pet Oct 25. Lpool, Nov 11 at 11. Evans & Lockett, for Owen, Fwiliell.

Rogers, Catherine, Lpool, Grocer. Pet Oct 21. Hime. Lpool, Nov 10 at 3. Hindle, Lpool.

Rutty, John, Prisoner for Debt, Lewes. Pet Oct 26 (for pau). Blaker. Lewes, Nov 12 at 12.

Seery, John, Ainderby-Steeple, York, Builder. Pet Oct 29. Jefferson. Northallerton, Nov 8 at 11. Wenstall, Northallerton.

Semley, Geo, Prisoner for Debt, Cardigan. Adj Sept 15. Jenkins. Aberystwith, Nov 11 at 10. Atwood.

Shennard, Chas King, Hannington, Wilts, Blacksmith. Pet Oct 26. Townsend. Swindon, Nov 13 at 11.

Shield, Matthew Linsley, Middlesborough, York, Grocer. Pet Oct 25. Leeds, Nov 8 at 11. Brewster & Stubbs, Middlesborough; Simpson, Leeds.

Silani, Fredk, Prisoner for Debt, Lewes. Pet Oct 26 (for pau). Blaker. Lewes, Nov 12 at 12.

Thorne, Wm Hy Romaine, Prisoner for Debt, Bristol. Adj Oct 16. Harley. Bristol, Nov 12 at 12.

Tory, Chas, Finchbeck, Lincoln, Miller. Pet Oct 26. Tudor. Birm, Nov 9 at 11. Maples, Nottingham.

Ward, Wm, Stockton-on-Tees, Builder. Pet Oct 26. Crosby. Stockton-on-Tees, Nov 11 at 11.15. Bainbridge, Middlesborough.

Wheeler, Abel, Ponthier, Monmouth, Farm Labourer. Pet Oct 25. Roberts. Newport, Nov 9 at 1. Bradgate, Newport.

Williams, Richd Geo, Rochester, Kent, Boot Maker. Pet Oct 25. Acworth. Rochester, Nov 9 at 2. Hayward, Rochester.

Williams, Edwd Stephen, Sunderland, Durham, Journeyman Saddler. Pet Oct 27. Gibson. Newcastle-upon-Tyne, Nov 15 at 12. Graham & Graham, Sunderland.

Wilson, John Richd, Bridgewater, Somerset, Plumber. Pet Oct 26. Lovibond. Bridgewater, Nov 10 at 10. Reed & Cook, Bridgewater.

Wingrove, John, Peterborough, Northampton, Publican. Pet Oct 23. Gaches. Peterborough, Nov 13 at 11. Law, Stamford.

Withers, Thos, Harby, Nottingham, Miller. Pet Oct 25. Newton. Newark, Nov 10 at 12. Smith, Newark.

Woodford, John, Newport, Isle of Wight, Writing Clerk. Pet Oct 21. Blake. Newport, Nov 13 at 11. Beckingsale, Newport.

TUESDAY, Nov. 2, 1869.

## To Surrender in London.

Andrews, Alfred, Prisoner for Debt, London. Pet Oct 28 (for pau). Murray. Nov 24 at 12. Laurence, Lincoln's-inn-fields.

Baker, Joseph, Gloster-row, Walworth-rd, Pork Butcher. Pet Oct 28. Murray. Nov 22 at 11. Templeman, Aldermanbury.

Barnes, Chas, Lime-st, Camden-rd, Carman. Pet Oct 30. Murray. Nov 24 at 12. Miller & Stubbs, Eastcheap.

Beaven, Wm Hy, Glaskin-st, Hackney, Clerk. Pet Oct 30. Murray. Nov 24 at 11. Parker, Coleman-st.

Bennett, John, Gresham-bldgs, Basinghall-st, Architect. Pet Oct 29. Murray. Nov 22 at 1. Moss, Gracechurch-st.

Blackburn, Geo, Wood-st, Cheap-side, Proprietor of Whalebone. Pet Oct 27. Murray. Nov 22 at 11. Lowther & Milens, Fenchurch-st.

Blumenthal, Wm, St George's-rd, Southwark, Tailor. Pet Oct 30. Murray. Nov 24 at 11. Croft, Mark-lane.

Brockwell, Walter, Maltby-st, Bermondsey, Bricklayer. Pet Oct 28. Murray. Nov 23 at 1. Saffery & Huntley, Tooley-st.

Bundy, Thos, Hackney-rd, Ironmonger. Pet Oct 18. Murray. Nov 17 at 11. Shapland, Fenchurch-st.

Christie, Charles John, Melbourne House, Acton-green, Gent. Pet Oct 29. Murray. Nov 22 at 2. Landell & Kelly, Lincoln's-inn-fields.

Diggins, Geo, City Arms-bldgs, Metropolitan Cattle Market, Butcher. Pet Oct 29. Murray. Nov 22 at 2. Webster, Ely-pl, Holborn.

Dumayne, John, Prisoner for Debt, London. Pet Oct 23 (for pau). Brougham. Nov 17 at 11. Lawrence, Lincoln's-inn-fields.

Edwards, Thos, Woodstock, Oxford, Glover. Pet Oct 28. Murray. Nov 22 at 11. Cooke, Gresham-bldgs, Guildhall.

Gadd, Thos Sear, Cross-st, Well-st, Hackney, out of business. Pgt Oct 29. Murray. Nov 24 at 12. Scott, Basinghall-st.

Gardiner, Wm, Queen's-ter, Manchester-rd, Cubitt's Town, out of business. Pet Oct 29. Murray. Nov 22 at 2. Pittman, Stamford-st, Blackfriars.

Goodwyn, Edmd Hollier, Enfield Highway, Corn Dealer. Pet Oct 30. Murray. Nov 24 at 12. Peverley, Gresham-bldgs, Guildhall.

Hastings, Geo, Cheesemonger, Prisoner for Debt, London. Pet Oct 28 (for pau). Murray. Nov 22 at 12. Laurence, Lincoln's-inn-fields.

Ingall, Hy, Courthill-pl, Lewisham, Clerk. Pet Oct 27. Nov 17 at 11. Dubois, Church-passage, Gresham-st.

Konwenhoven, Cornelius Hendrick, Prisoner for Debt, London. Pet Oct 27 (for pau). Murray. Nov 22 at 11. Watson, Basinghall-st.

Kraus, Maria Catharina, Lime-st, Licensed Victualler. Pet Oct 29. Murray. Nov 15 at 1. Jennings, Lime-st.

Lewis, Richd Cope, The Pavement, Clapham-common, out of business. Pet Oct 29. Pepps. Nov 18 at 11. Haynes, Duke-st, Manchester-sq.

Liddall, Hy Stephenson, Huddersfield, York, Railway Clerk. Pet Oct 30. Murray. Nov 24 at 11. Linkins & Co, Walbrook.

Lucas, Chas, Amblerley-rd, Paddington, Cab Driver. Pet Oct 27. Murray. Nov 22 at 11. Wright, Gt Portland-st.

Mitchell, Wm Smith, Cornhill, Jeweller. Pet Oct 28. Murray. Nov 17 at 2. Harcourt & Macarthur, Moorgate-st.

Myers, Moss, British-st, Bow-rd, Traveller. Pet Oct 29. Murray.  
Nov 22 at 1. Solomon, Flinsbury-pl.  
Nicholl, Robt, James-st, Weaver-st, Bethnal Green, Blacksmith. Pet  
Oct 28. Murray. Nov 22 at 15. Lydall, Southampton-bldgs.  
Parker, Rowland Thompson, Avenue-rd, Daleton, Cann Agent. Pet  
Oct 30. Murray. Nov 24 at 12. Deere & Bourne, King's Arms-yd.  
Pledger, John Chapman, Prisoner for Debt, London. Pet Oct 28 (for  
pau). Murray. Nov 22 at 12. Lawrence, Lincoln's-inn-fields.  
Reed, Geo, Counter-st, Borough Market, Dealer in Fruit. Pet Oct 24.  
Murray. Nov 22 at 12. Barton & Drew, Fore-st.  
Richards, John Chas, Cambridge-rd, Mile End, Choesemonger. Pet Oct  
28. Murray. Nov 22 at 11. Harrison, Basinghall-st.  
Richardson, John Alpriss, Maryland-rd, Paddington, Accountant. Pet  
Oct 30. Nov 17 at 12. Flasher, Camberwell New rd.  
Riley, Wm, Prisoner for Debt, Surrey. Pet Oct 27. Pepps. Nov 18 at  
11. Fytrold, John-st, Bedford-row.  
Robson, John Thos, Sabbaces-rd, Wick-rd, South Hackney, Wholesale  
Clothier. Pet Oct 29. Murray. Nov 22 at 1. Cooke, Gresham-bldgs,  
Guildhall.  
Scott, John, Jun, Upper Holloway, Ironmonger. Pet Oct 23. Murray.  
Nov 17 at 1. Wetherfield, Gresham-bldgs, Guildhall.  
Seward, John, Bethnal-green-rd, Grocer. Pet Oct 16. Murray. Nov  
22 at 1. Carter & Bell, Leadenhall-st.  
Sloman, Elias, Ebenezer-pl, West India rd, Limehouse, Manager to a  
Clothier. Pet Oct 29. Murray. Nov 22 at 12. Abbott, Worship-st.  
Smith, Fras Dearsley, Gunnersbury-pl, Brentford-rd, Paper Hanger.  
Pet Oct 29. Pepps. Nov 18 at 11. Peddell, Guildhall-chambers,  
Basinghall-st.  
Stamp, Robt, Winchester, Hants, Builder. Pet Oct 29. Murray.  
Nov 22 at 2. Jones, New-inn, Strand.  
Tuff, Hy, Farnborough, Hants, Contractor. Pet Oct 30. Murray. Nov  
24 at 11. Eve, Aldershot.  
Ubsdell, Wm, Priory-st, Camden-town, Cab Driver. Pet Oct 29.  
Murray. Nov 22 at 1. Bartlett, Chandos-st, West Strand.  
Watson, Wm Alex, New-rd, Penge, no business. Pet Oct 30. Murray.  
Nov 24 at 11. Greenwood, Gt James-st, Bedford-row.  
White, Fredk, Upper Thames-st, Bottle Merchant. Pet Oct 29. Murray.  
Nov 17 at 2. Learyod & Co, Broad-st-bldgs.  
To Surrender in the Country.  
Adams, Fanny, Oxford, Market Gardener. Pet Oct 21. Dudley. Ox-  
ford, Nov 13 at 10. Thompson, Oxford.  
Bagshaw, Evan Griffith, Prisoner for Debt, Ruthin. Pet Sept 14. Wil-  
liamson. Holywell, Nov 13 at 11. Davies, Holywell.  
Berlin, Edwd, Wavertree, nr Lpool, Book-keeper. Pet Oct 28. Hime.  
Lpool, Nov 15 at 2. Ritson, Lpool.  
Bowell, Thos, Carlisle, Bootmaker. Pet Oct 28. Halton. Carlisle,  
Nov 16 at 11. Wannop, Carlisle.  
Brand, Thos, Stockton-on-Tees, Durham, Journeyman Bricklayer. Pet  
Oct 29. Crosby. Stockton-on-Tees, Nov 17 at 12.30. Dobson,  
Middlesborough.  
Buckham, Wm, Newcastle-upon-Tyne, Sailmaker. Pet Oct 27. Clay-  
ton. Newcastle, Nov 13 at 10. Forster, Newcastle-upon-Tyne.  
Cleland, Wm, Prisoner for Debt, Lewes. Pet Oct 26 (for pau). Blaker.  
Lewes, Nov 12 at 12.  
Conway, Wm, Manch, Accountant. Pet Oct 21. Fardell. Manch, Nov  
15 at 11. Sampson, Manch.  
Crabtree, David, Heywood, Lancashire, Cotton Waste Dealer. Pet Oct  
28. Grundy. Bury, Nov 13 at 9. Anderton, Bury.  
Crampen, Wm, St John's Common, Sussex, Carpenter. Pet Oct 28.  
Wagh. Cuckfield, Nov 17 at 11. Lamb, Brighton.  
Dernaine, Wm, Hunslet, Leeds, Cowkeeper. Pet Oct 29. Marshall.  
Leeds, Nov 15 at 12. Ferns, Leeds.  
Dennar, Jas, Tiverton, Devonshire, out of business. Pet Oct 30. Daw.  
Tiverton, Nov 13 at 11. Clarke & Payne, Tiverton.  
Duckett, Joseph Wm, Glastonbury, Somersetshire, out of business. Pet  
Oct 20. Lovell. Wells, Nov 15 at 12. Hobbe, Wells.  
Dyson, Jas, John Dyson, Wm Dyson, Mordecai Dyson, Chas Dyson, &  
Geo Dyson, Delph, Yorkshire, Woollen Dyers. Pet Oct 22. Fardell.  
Manch, Nov 15 at 11. Cobbett & Co, Manch; Learyod & Learyod,  
Huddersfield.  
Edwards, John, Salford, Lancashire. Pet Oct 29. Hulton. Salford,  
Nov 13 at 9.30. Wheeler, Manch.  
Eggleston, Edwd, Hove, Sussex, Licensed Victualler. Pet Oct 28.  
Everhed. Brighton, Nov 16 at 11. Mills, Brighton.  
Farrow, Thos, Whaplode Drove, Lincolnshire, Farmer. Pet Oct 27.  
Caparn. Holbeach, Nov 13 at 10. Sturton, Holbeach.  
Fawcett, John, Barnard Castle, Durham, Dealer in Sheep. Pet Oct 29.  
Gibson. Newcastle-upon-Tyne, Nov 17 at 12. Brignall, jun, Durham.  
Forman, Jas, Toll End, Staffordshire, Grocer. Pet Oct 23. Walker.  
Dudley, Nov 11 at 12. Warrington, Dudley.  
Frost, Thos, Wadley Bridge, Yorkshire, Iron Manufacturer. Pet Oct  
29. Leeds, Nov 17 at 12. Smith & Hinde, Sheffield.  
Gaythorpe, Wm, Manch, Tailor. Pet Oct 29. Kay. Manch, Nov 15 at  
9.30. Gardner, Manch.  
Gidlow, Mary, Lpool, Butcher. Pet Oct 28. Hime. Lpool, Nov 15 at  
2.30. Ritson, Lpool.  
Goodman, Saml, Leeds, Bookkeeper. Pet Oct 28. Leeds, Nov 15 at 11.  
Ferns, Leeds.  
Gregory, Geo, Stourbridge, Worcestershire, Newspaper Seller. Pet  
Oct 29. Howard, Stourbridge, Nov 15 at 10. Wall, Stourbridge.  
Grimshaw, Joseph, Horforth, York, Cloth Manufacturer. Pet Oct 28.  
Leeds, Nov 15 at 11. Payne & Co, Leeds.  
Haistone, Jas, Bristol, Farmer. Pet Oct 28. Harley. Bristol, Nov 19  
at 12. Beckingham.  
Hale, Wm, Walsall, Stafford, Chain Manufacturer. Pet Oct 23. Walsall  
Nov 26 at 12. Glover, Walsall.  
Harwood, Hy, Worcester, out of business. Pet Oct 27. Wilkins.  
Chipping Norton, Nov 17 at 11. Kilby, Chipping Norton.  
Hutton, Geo, Blackpool, Lancashire, Hair Dresser. Pet Oct 27.  
Patterson. Foulton-le-tyde, Nov 13 at 2. Plant & Abbott, Preston.  
Hawker, Wm, Lpool, Boot Dealer. Pet Oct 29. Lpool, Nov 15 at 11.  
Ritson, Lpool.  
Henderson, Wm, Newcastle-upon-Tyne, Journeyman Cabinet Maker.  
Pet Oct 27. Clayton. Newcastle, Nov 13 at 10. Hoyle & Co, New-  
castle-upon-Tyne.  
Hitchings, John, St Isells, Pembrokeshire, no profession. Pet Oct 30.  
Owen. Narberth, Nov 15 at 10. Griffiths, Narberth.

Houghton, John, Hanley, Staffordshire, Licensed Beerseller. Pet Oct 28.  
Challinor. Hanley, Nov 13 at 11. Welsh, Hanley.  
Jagger, Squire, Stainland, Halifax, Yorkshire, Mason. Pet Oct 28.  
Rankin. Halifax, Nov 19 at 10. Jubb, Halifax.  
James, Chas, Gloucester, Grocer. Pet Oct 27. Wilton. Gloucester, Nov  
13 at 12. Cooke, Gloucester.  
Lilly, Wm Briscoe, Handsworth, Stafford, Jeweller's Stone Setter. Pet  
Oct 29. Guest. Birm, Nov 19 at 10. Harrison, Birm.  
Marles, Hy, Burley, nr Leeds, Schoolmaster. Pet Oct 29. Marshall.  
Leeds, Nov 15 at 12. Harle, Leeds.  
Matthews, Nathan, Coventry, out of business. Pet Oct 27. Kirby.  
Coventry, Nov 19 at 3. Parry, Birm.  
Matthews, Edwd, Merthyr Tydfil, Glamorgan, Weaver. Pet Oct 28.  
Russell. Merthyr Tydfil, Nov 18 at 11. Plews, Merthyr Tydfil.  
Maude, Wm, Halifax, York, Draper. Pet Oct 23. Rankin. Halifax,  
Nov 19 at 10. Thomas, Halifax.  
Millership, Thos, West Bromwich, Stafford, Coal Master. Pet Oct 29.  
Tudor. Birm, Nov 12 at 12. James & Griffin, Birm.  
Morris, Noah, Mold, Flint, Labourer. Pet Oct 23. Eytton. Flint, Nov  
15 at 12. Davies, Holywell.  
Moulton, Wm, Redcar, York, Als Bottler. Pet Oct 24. Crosby. Stock-  
ton-on-Tees, Nov 17 at 11. Fawcett, Stockton-on-Tees.  
Palmer, Chas, Barnsley, York, Cab Driver. Pet Oct 29. Bury. Barnsley,  
Nov 16 at 11. Frudd, Barnsley.  
Paris, Eugenia Louisa, Southport, Lancashire, Lodging-house Keeper.  
Pet Oct 28. Lpool, Nov 15 at 11. Arison & Co, Lpool.  
Pullin, Edwd, Cradley, Hereford, Labourer. Pet Oct 29. Beale. Gt  
Maivern, Nov 15 at 12. Badham, Bromyard.  
Rhodes, Wm, Leeds, York, out of business. Pet Oct 27. Leeds, Nov 15  
at 11. Spiers, Leeds.  
Richardson, Wm Hy, Dewsbury, York, Market Gardener. Pet Oct 30.  
Nelson. Dewsbury, Nov 18 at 3. Scholes & Breary, Dewsbury.  
Scottow, Wm Wright, Norwich, out of business. Pet Oct 29. Palmer.  
Norwich, Nov 15 at 11. Sudd, Norwich.  
Sidwell, Ann, & Eliza Sidwell, Bristol, Stationers. Pet Oct 29. Harley.  
Bristol, Nov 19 at 12. Beckingham & Elletson.  
Simmons, Edwd, Seaford, Sussex, Cowkeeper. Pet Oct 28. Blaker.  
Lewes, Nov 15 at 12. Hillman, Lewes.  
Smith, Fredk Thos, Hereford, Herbalist. Pet Oct 29. Hill. Birm,  
Nov 17 at 12. Parry, Birm.  
Smith, Geo, Wolverhampton, Stafford, Fishmonger. Pet Oct 28. Brown.  
Wolverhampton, Nov 15 at 12. Turner, Wolverhampton.  
Stevenson, Hy Durham, Newcastle-upon-Tyne, Timber Dealer. Pet  
Oct 30. Clayton. Newcastle, Nov 13 at 10. Bousfield, Newcastle-  
upon-Tyne.  
Tart, Thos, Walton, Stafford, out of business. Pet Oct 29. Middleton.  
Sne, Nov 16 at 10. Robinson & Dempster, Ecclehall.  
Taylor, Nathaniel, Wednesday, Stafford, Coachman. Pet Oct 28.  
Hill. Birm, Nov 17 at 12. James & Griffin, Birm.  
Thompson, Hy, Leeds, Fishmonger. Pet Oct 28. Marshall. Leeds,  
Nov 15 at 12. Butler & Smith, Leeds.  
Urch, John, Cheltenham, Gloucester, Upholsterer. Pet Oct 25. Wilde.  
Bristol, Nov 15 at 11. Stroud, Gloucester; Abbot & Leonard, Bristol.  
Upton, John, Atherton, Warwick, Wheelwright. Pet Oct 29. Tudor.  
Birm, Nov 13 at 12. Beece & Harris, Birm.  
Wadsworth, Walter, Sheffield, Builders. Pet Oct 26. Wake. Sheffield,  
Nov 18 at 1. Micklethwaite, Sheffield.  
Walpole, Thos, Birm, Tailor. Pet Oct 23. Guest. Birm, Nov 19 at 10.  
Parry, Birm.  
Wright, John, Leeds, Milliner. Pet Oct 27. Leeds, Nov 15 at 11.  
Richardson & Turner, Leeds.  
Wyne, Thos, Gorton-brook, nr Manch, Plumber. Pet Oct 30. Kay.  
Manch, Nov 15 at 9.30. Leigh, Manch.

BANKRUPTCIES ANNULLED.

FRIDAY, Oct. 29, 1869.

Edwards, David Richd Perkins, Barnham, Somerset, Surgeon. Oct 15.  
Laycock, Saml, Wakefield, York, Hosier. Oct 26.  
TUESDAY, Nov. 2, 1869.  
Holehouse, Geo, Lpool. Oct 25.

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ings, state the net annual income).  
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